

1885-042 Chancery Causes: A. R. Surgener vs. William W. Sage &c
Lee Co.

Folder 1013

Dalton, Levacy, Graham, Lambert, Lowe, Bundy, Milbourn,
Wynn, Brasier, Young, Worley, Hill, Bailey, Miller, Gobble,
Bell, Andis, Sims, Anderson, Jones, Ely, Dickinson, Smith,
McDonald, Basker, Moore, Noe, Mileham, Bundy, Whitehead,
Levacy, Wynn, Waller, Belcher, Bailey, Worley, Orr, Pridemore

CA-Debt
T-Property

-Deed

See also 1885-018 Andrew M. Ely for &c vs. William W. Sage &c

To the Honorable John A. Kelly Judge of the
Circuit of Lee County, Virginia

The Cross bill of A. R. Surgen
filed by leave of Court in the Chancery cause
then in pending of A. M. Cley for vs. against
William W. Sage and others. Humbly contain-
ing sheweth to your Honor. That on the 18th day
of November 1869 your orator with others became
the security of the William W. Sage as Sheriff
of Lee County, Va. That on the 20th day of Decem-
ber 1869 he with others became said Sage's
Security in another bond as Sheriff as
aforesaid. That on the 21st day of March
1870 he again with others became the surety of
the said Sage in another bond as Sheriff as
aforesaid. That on the 19th day of May 1870
he again became with others the Surety of the
said Sage in another bond executed by him
as Sheriff of said County. That again on the
18th day of January 1871 he became with
others surety for the said Sage in his official
bond as tax collector of Lee County for the year
1870. Copies of which bonds are herewith

Copies of which are filed herewith as part here
of, marked (41) (42) (43) (44) (45).

Your Orator would further show your Honor
that by reason of said suretyship he has become
liable for, and has paid various sums of
money to divers persons amounting to \$.

a particular statement and itemized account
of which, with direct reference to parties time
and Circumstance is filed herewith marked

(46) Your Orator further represents to your
Honor that at the time he became the surety of
the said Sage in the several bonds aforesaid
he regarded him as solvent and all right
that said Sage often, and in the most posi-
tive manner asserted to your Orator that
he and all his Co-sureties should be sound,
harmless under all and every Circumstance.

Your Orator will now show your Honor that
on the 8th day of May 1871. the said Sage,
who was then the owner of much and valuable
real estate as well as personal property, with-
out the knowledge or consent of Your Orator
or any other of the beneficiaries of said Trust

so far as your Orator knows) made and executed
a Trust deed referred to in The Complainants
bill as Exhibit (C) and referred to here as
an Exhibit with this bill by the terms of which
he secured or pretended to secure many of his
Creditors and among others his securities in
his official bond as Collector of Taxes for the
year 1870 That some days after the rec-
ordation of said Trust deed The Complain-
ants judgment referred to in his bill as Exhibit (A)
was rendered. Your Orator will here show
your Honor that upon said Original bill of
A M Ely for do. vs W H Sage et al various pro-
ceedings were had do. as will more fully appear
by reference to the records of said Cause yet
remaining until the day of 187.

when a decree was pronounced directing a
sale of certain lands belonging to said Sage
all of which were embraced in the Trust deed
aforesaid, and under said decree sales were
made of some of said Tracts of land for a
more particular description of which reference
is here had, to the report of sale made by Com-

miscellaneous Prilemore filed with and as part of
the records of said Original bill: and the pro-
ceeds arising from said sale have been applied
to the satisfaction of the claim of the Plaintiff in
said Original bill. Your Orator will now
further show your Honor that ^{during the time} he was a surety of
the said Sags as aforesaid he said Sags was
the owner of the following Tracts of land not sold
by said Prilemore in the above styled cause
but which were embraced in said deed of Trust.
To wit a Tract containing 50 acres known as
the H. J. Ferguson Tract a tract containing 100
acres and known as the Spruill Tract &
Another tract containing 70 or 78 acres known
as the W. W. Sags home tract And also two other
tracts not embraced in said Trust deed one
of which contains 120 acres and known as
the Wallen Tract and the other containing
acres and known as the Belcher Tract
Your Orator will further show your Honor, that
the said William W. Sags was never clothed with
the legal title to either of the two last mentioned
tracts but that he was the equitable owner.

of both of them, and that being the equitable
owner thereof he procured the legal title holders
thereof to convey them to his son Harrison
Sage, and in pursuance of said procurement
Greenbury Wallen in whom was the legal title
of the Wallen tract conveyed the same by deed
bearing date on the 8th day of April 1872 to Har-
rison Sage and Ruth Belcher conveyed
the Belcher tract by deed bearing date on the
8th day of June 1872 to said Harrison Sage
copies of which deeds are filed with said
Original will marked respectively "E. & F." and
they are here referred to as part of this will.

Your Orator charges that these deeds were made
without valuable consideration to a young man
at that time without money or property, a son
of the said W. W. Sage, and to hinder delay and
defraud the honest creditors of the said Sage and
especially your Orator and others his sureties in
his several official bonds aforesaid. therefore
your Orator charges that these deeds are fraudu-
lent & void and that they should be annulled va-
cated and set aside. If mistaken in this

Your orator further alleges and charges that the purchase price of said two tracts of land was paid by the said William W Sage and that the said Harrison Sage is therefore but the Trustee of the legal title holding for the benefit of the said William W Sage. Your orator would now further show your Honor that one R. D. Young a brother in law of the said William W Sage is the pretended purchaser and Harrison Sage the pretended owner of the 70 or 78 acre Home tract, that the said R. D. Young claims to have purchased said tract from W W Brasier Trustee in the deed of Trust before referred to.

Your orator alleges that said transaction sale and conveyance of said tract of land was in violation of the terms and provisions of said Trust deed. That the said sale and conveyance was in pursuance of a fraudulent collusion between the said W W Sage R. D. Young and the Trustee W W Brasier. That it is now held and owned through and under an equally fraudulent collusion upon the part of the said W W Sage R. D. Young & Harrison Sage.

1
Your orator charges that said Tract of land
has remained and continued in the posses-
sion use and enjoyment of the said William
W Sage all the time from the day of the exe-
cution of said Trust deed to the present.
He further alleges that the said Harrison
Sage has not paid anything for said land
that the said R. D. Young did not and has
not paid anything for said land but that
the whole transaction from the start and
through all its intermediate steps is a fraud-
ulent device and shameless trick to with-
draw the fund from the just creditors of the
said W W Sage and especially to defraud your
orator and his other securities whom by said
Trust deed he professed to intend to advance
and secure. Again your orator alleges that
said R D Young did not pay anything to said
Trustee for said land either at the time of the
Sale and conveyance or at any other time
and he further alleges that if any payments
toward the purchase price of this land were
ever at anytime to any person made that

The Means to make said payments were furnished by the said W W Sage, either directly or indirectly. Your orator further charges and alleges that both R D Young and Harrison Sage had full and ample notice of the indebtedness of the said W W Sage. That they had full and complete notice of the A M City Judgement. That they had full and complete notice of the liability of the sureties of the said W W Sage in his several official bonds. That they had full and complete notice of his default upon the State revenue and County Levy and that they each had full notice of his intent to hinder delay and defraud his creditors and sureties. Your orator will further show your Honor That said W W Sage on the 6th day of February 1872 conveyed to James Worley the 50 acre Ferguson Tract & the 100 acre Sprinkle Tract. Your orator alleges that said Worley took this conveyance with full notice of the lien of your orator & the other beneficiaries in said

deed of Trust because both of said Tracts were
embraced in said Trust deed. He further alleges
that said Worley had actual notice at the time
he took said conveyance that it was the inten-
tion of said Sage by said conveyance to with-
draw said Tracts of Land from the reach of
his Creditors and get them into his own hands
and that he only used the said Worley or intend-
ed to use him as a mere conduit for that
purpose hence your orator charges that said
Conveyance was fraudulent and void. The deed
by which this land was conveyed is filed by the
Pliff with his bill marked (D) and is here re-
ferred to as part hereof. Your orator
will now show that the Judgement of Ely for 60,
was for the sum of \$ and constitu-
ted a lien upon all the lands herein referred
to being the 7 Tracts embraced in the Trust deed
and the Wallum & Belcher Tracts while
your orator only had a lien by virtue of the
Trust deed on the 7 Tracts embraced therein,
and a lien by reason of the Judgement in favor
of the Commonwealth on only such lands

as were owned by the Plaintiff on the 20th
day of March 1873. the date of its rendition
and your Orator will now show That before
said last named date, the Wallen & Belcher
Tracts had been conveyed to Harrison Sage
the Home tract to R D Young & the Sprinkle
& Ferguson Tracts to James Worley. Thus it is
seen that your orator has a right to be substi-
tuted to the lien of the said Ely's judgement
against the lands aforesaid. (That is the Wallen
tract Belcher tract Home tract Sprinkle tract
& Ferguson tract. the said Ely for so having
had a lien upon all and having subjected
to the payment of his judgement the lands
upon which your Orator had a lien both by
Trust deed & judgement. and your orator
is advised that by reason of the Consent decree
entered in said original cause this right is
perfected to him, and those ^{who} occupy the same
relation as him self. Your orator and his
co securities have paid sundry judgements
against the said Sage and themselves as his
sureties which he is advised were and are

liens on said lands and he is advised that
he & they are entitled to be substituted to the
liens of said Judgement Creditors. Copies of
which Judgements so paid are herewith filed as
part here of Morsel (A7) Your orator alleges
that these several Judgements together with the
Judgement in favor of the Commonwealth were
all liens upon all the lands formerly owned
by W. W. Sage. That the conveyances to R. D.
Young, Horrocan Sage & James Worley were
made with the purpose & intent to defeat
these liens to hinder delay and defraud said
several Creditors in the collection of their Judge-
ments as well as to defeat your orator's lien under
the Trust deed aforesaid and also to hinder
delay and defraud other just Creditors
of the said William W. Sage whose claims
had not at the time of said conveyances been
presented to Judgement and your orator
here charges that all these facts to wit the
Judgements the Trust deed and the claims
debts & liabilities of said Sage and his in-
tent to hinder delay and defeat the collec-

tion there of was well known to each of
said aliases before and at the time of
the conspiracy to them, and he further charges
that said aliases knowingly participated
and aided in the perpetration of said fraud
Your Orator has alleges that all the liabilities
incurred by said Sage as Sheriff and as
Tax collector have now been paid and dis-
charged by his sureties & himself except
the judgment in favor of the Commonwealth
against him as Tax collector & of that your
Orator has paid his full part for which he has
a full discharge & acquittance and a judge-
ment in favor of said Commonwealth for
\$1173 Dickman, and upon this last judge-
ment he has made large payments.

Your Orator will now show your Honor that
he is largely in possession of his Co-sureties
in the said several bonds executed by the said
Sage as Sheriff & Tax collector, in payments
made upon the liabilities incurred by said Sage
in his official capacities as aforesaid, he there-
fore charges that they are liable and should

be compelled to contribute to his relief
so far as he has paid in excess of them by reason
of said sureties and they are entitled to
share with ^{him} to the extent of their several payments
upon said joint liability, in the funds or real
ized by this suit. Some of these sureties are in-
demnified by the Trust deed some are not
but your orator is advised that all should
share equally ^{the} burdens and ratably the relief
afforded by their principal. And your orator
hereby again refers to the records of said orig-
inal cause and so far as is necessary makes
said records a part of this Crossbill.

The premises considered the prayer of
your orator is that William H Sage W H Brainer
Harrison Sage R D Young James Horley, Charles
M Hill John W Bailey W^m D Miller A R ~~Anderson~~
S S Surquess Jonathan Dutton Dickenson Cobble
S H Levisy A J Bailey C C Bell John B Linds
W H Levisy Sureties in the bond dated on the
day of 18 John D Lins A R Surquess
S S Surquess James Thomas T S Ely Sam of
D S Dickenson and Sam of Lewis Smith & Sam

of John Melbourne all three of whom were securi-
ties in some one or more of said Sage's bonds.

W^m R Graham Hayman Lambert W^m McDonald

Bⁿ Barker Joseph Lowe John L Moore Ran-

dolph Roe Hiram Ely Russell / William

Joseph H Bundy John M Whitehead A^m

Ely ^{Geo B Milburn} P^r Linsay & Alexander Hagan, who were

acquirers of said Sage in some one or more of
his official bonds as aforesaid, he made par-
ties defendant to this bill and that they would
be required to answer the same on oath.

that the sum due made to Harrison Sage
R D Young and James Worley be declared
null and void and the lands thereby conveyed
be subjected to the payment of the sum which
your orator is entitled by reason of his suretyship
as aforesaid and the payments he has made
on account thereof and otherwise that contribu-
tion be directed among the several securities
of said Sage so as to relieve your orator of
the excess of the burdens of the common
liability which he has borne so long and
which are now pressing so heavily upon

A. R. Surgenor

W. L. Ingraham

W. W. Sage, Adm^r
~~Trustee~~

That the Trust

accounted to the

perater be s



unity to wit.

Surgener per-
sured before me the
and made oath that
the stated in above
for as made upon
the, and so for as
formation derived
believes them to
in my hands this
1883.

Wm Hyatt

Clerk

Clerk of Circuit
Court of the C.

1883, July Bill filed

" Aug. and filed
cause set for hearing

" Nov. do do do

1884, Dec. do do do

1885, Dec. do do do

1886, March do do do

To the Hon John A. Kelly Judge of the Circuit Court
of Lee County Virginia

The Separate Answer of Thomas S. Ely Sheriff and as
such administrator of the estate of Hiram Ely lately dead, to
a crop bill now pending in your Honors court, filed by A. R.
Surgener against respondents intestate & others and revised
in the name of this respondent as the representative of said
Hiram Ely dead. This respondent reserves to himself the
benefit of all legal and just exceptions to said crop bill which
he may see proper to make at the final hearing thereof, and
for answer thereto or so much thereof as he deems it material
to answer. Answering he says, that he supposes it is true
that his Co-defendant W. W. Sage was appointed Sheriff of
the county of Lee in the Spring of 1869 and continued
to act as such until the first day of January 1871. when
his term of office expired, and he supposes it is likewise
^{true} that said Sage as such Sheriff during that period executed
five Separate and distinct bonds with such sureties ^{as} ~~as~~ ^{was} deemed
good and sufficient at the time, for the faithful discharge by
^{him} of the duties of that office. And respondent supposes that
it is also true, that his intestate the said Hiram Ely became
bound as one of said Sages sureties by signing one of said bonds
dated Decr. the 20th 1869 and that he continued so bound until
the 21st day of March 1870 (being ~~a little~~ more than 3 months) at
which time the said Sage was required by the County Court of
Lee county, to execute a new bond or be removed from his said
office, and this respondent here states that such new bond was
then and there executed by said Sage with such sureties as

was accepted as good & sufficient by the court. but in this last mentioned ^{bond} respondent's intestate did not join nor did he sign any other bond than the one dated Decr the 20th 1869.

Your respondent is advised that his intestate's estate is not bound for any of the official acts or liabilities of said Sage as such Sheriff prior to said 20th day of December 1869 nor is it so liable for any of his official acts after the 21st day of March 1870. and for the period of time intervening between Decr. 20th 1869 and March 21st 1870 respondent supposes his intestate's estate is liable along with the solvent securities in the bond of Decr. 1869. for the official acts and conduct of said ^{Sage} during that period, and for all his defaults which legally attach to his official acts during that time. But respondent denies the fact, that his intestate was liable for any of such official acts before Decr. 1869. and was not and is not liable for any of such acts or defaults of said Sage since the 21st day of March 1870 and that his suretyship ceased and terminated forever on said last mentioned day.

Respondent having now answered as fully as deemed material prays hence to be dismissed with his cost.

Ayers & Morgan for
Respondent Ely

Thos S Ealy as Shff admr of
Hiram Ealy dead

Ads } Answer

A R. Surgenor

Filed April 5 1882

J A Wyatt
clerk

To the Hon John A Kelly Judge of the Circuit
Court of Lee County Virginia

The Separate answer of Andrew J. Bailey
to a Crops bill filed in this honorable Court in the chancery
cause of A. M. Ely for &c. against Wm. H. Sage and others, by
A. R. Surgenes against him and others, Respondent
reserves to himself the benefit of all legal and proper
exceptions which he may see proper to make ^{to said bill} on account
of the many statements therein contained, for answer
thereto or so much thereof as he is advised it is material
for him to answer answering Says that he suffices
it is true that he with others on the 20th day of April
1869 became bound as the Securities of his Co. deft Sage
who was then Sheriff of the County of Lee for the faithful
discharge of the duties of that office and that he
continued so bound until the 18th day of Nov. 1869. when
said Sage gave a new bond as such Sheriff, and his
former securities was thereby released from all further
liability on account thereof. and respondent is willing
to share with his Co. bondsmen in all losses sustained on
account of defaults and liabilities of said Sage for the
period intervening between April 20th and Nov. 18th 1869.
and he is willing that an account be taken as between
himself and his Co. obligors in the bond dated April the
20th 1869 of the liabilities and losses properly and legally
chargeable to the securities in said bond; Respondent
will further state that he is not liable for any of the
official acts and conduct of said Sage from the 18th day
of Nov. 1869 until the 21st day of March 1870 when

he with others again became bound as he supposes for the official acts and doings of said Sage as such Sheriff, and that he continued so bound until the 19th day of May thereafter on which last mentioned day the said Sage as such officer was required and did execute another bond in which this respondent did not join and by the execution of this last bond, respondent was again released from all further liability on the said bond dated March 21-1870. And with his co-obligors in this last mentioned bond, this respondent is willing to have an account as to the liabilities of said Sage which legally attaches to his official acts during the period from March 21st to May the 19-1870 and from this last named date this respondent is advised he is not liable as one of said Sage's sureties as such Sheriff until the 18th day of January 1871 when he again with others became the third time bound as such surety, but this bond was only executed as he is advised in order to enable said Sage to collect the taxes and county levy for the year 1870 and his ^{said Sage's} liability and those of his bondsmen under this last named bond, are by the laws of the land restricted and confined to his defaults in collecting and paying over the revenue and county levy for that year.

And with these last sureties respondent will doubtless be required to account for his due share of the respondent's share. As to the three other bonds executed by said Sage during his continuance in office and which this respondent did not sign this respondent cannot be

held to account for any part of the liabilities which attached to the official acts of said Sage during the several periods they were respectively in force.

The Petition in the crop bill seeks to sell certain lands now owned by said Sage and to have the proceeds applied to the relief of his necessities, and in his prayer for that object, this respondent most heartily joins. Respondent having now answered as fully as he is advised is material prays hence to be dismissed with his reasonable costs.

Ayers & Morgan

I do swear that the statements in the foregoing answer so far as made on my own knowledge are true as I believe, and so far as made on information derived from others I also believe to be true so help me God.

Sworn to before me by H. J. Bailey

H. J. Morgan Comr.

March 29 1881.

Andrew J. Bailey

Ads } Separate Answer

J. R. Surgenor

Filed Apr 1st 1881.

Jas W Orr Clerk.

To the Hon John A. Kelly Judge of the circuit court
of Lee County Virginia.

Charles M. Hill and Dickinson Gobble two of the
defendants to a cap bill filed against them others
by A. R. Surgenor in the chancery cause of A. M. v.
et al. against Wm. W. Sage & others still pending in this
honorable court. would respectfully show unto your
court by way of answer to said cap bill or so much
thereof as they are advised it is material for them
to answer. answering they say, that they suppose it
is true that they with others on the 21st day of March
1870 became bound in a bond bearing that date as sureties
of William W. Sage then high sheriff of the county of
Lee, for the faithful discharge by him of the duties of that
office according to law. and that they remained so bound
as such sureties until the 19th day of May 1870, on
which last mentioned day, the said Sage as such Sheriff
was required by the county Court of Lee County then sitting to
execute a new bond, or be removed from said office
which new bond was on said last mentioned executed
by said Sage with such sureties as said Court accepted
as good and sufficient, but in this last mentioned bond
these respondents did not join or become bound in any way,
but on the contrary they were from that ^{time} forward ^{not} liable for
the official acts or doings of said Sage as such Sheriff

These respondents admit the fact, that they with their co. obligors in the bond before referred to dated March 21st 1870 are liable for all the defaults and liabilities, made and which properly and legally attach to the official acts of said Sage as such Sheriff from the 21st day of March 1870 to the 19th day of May 1870, and they are willing that an account be taken of the defaults and liabilities of said Sage during that period, and such as properly and legally attach to his official conduct during that period be charged to and equalized among the solvent sureties in said bond dated March 21st 1870. But these respondents deny that they are liable in any way for the official acts of said Sage prior to the 21st day of March 1870 nor are they in any way liable for his official acts after the 19th day of May 1870.

These respondents will here state that the Commonwealth of Virginia about the month of March 1873 obtained in the City of Richmond before the Circuit Court thereof, a judgment against said Sage as such Sheriff, these respondents returns who signed the said bond dated March 21st 1870 for the balance of the three years of the land property and Capitation Taxes due the State of Virginia from said Sage as such Sheriff for the year 1870 which had not been paid into the Public Treasury at the time the same was obtained, together with cost interest and damages, but the precise amount of this judgment these respondents do not now remember.

This judgment has not all been paid as yet, and these respondents have not paid anything thereon, but they may be hereafter compelled to pay the balance due thereon, and if so the same will have to be accounted for by the surtees in said bond dated March 21st 1870. But these respondents here deny that they were - at the time said judgment was rendered against them legally or morally bound for any part of the Taxes or Lises of the County of Lee collected by said Sage for the year 1870. The year for which said default occurred which they will now proceed to show by the following statement of the facts in relation thereto. The said Sage was appointed Sheriff of said County by the Military Authority of the State of Virginia in the Spring of 1869. And the term of Sheriff at the time commenced according to law on the first day of January of that year, and continued for two years ending January 1-1871. The assessment of the taxes of this County for the year 1870 was ^{not} completed until about the first of Jan 1871. the time when said Sages term of office expired and the question was raised as to who should collect the Taxes & Lises for the year 1870. whether the Old Sheriffs whose term of Office had then expired, or the Several County Treasurers whose term of Office commenced on the first day of January 1871. And the general Assembly of Virginia then in Session by an act approved January 6 1871. settled that question by authorizing the old Sheriffs whose term of Office had expired Jan 1-1871 to proceed to collect the taxes & lises for the year 1870.

But before doing so, the said act provided that in all cases where the county courts should require the same such Sheriff in order to entitle himself to collect the Taxes and levies for the year 1870 should execute a new bond for the faithful collection and discharge of the duties of such collector of taxes and levies, And these respondents here charge that the county court of this county did require of said Sage the execution of the new bond thus provided for. And they further allege that on the 18th day of January 1871, the said Sage did execute such new bond with such conditions as the act aforesaid required. These being the facts of the case, these respondents are advised, that said Sage and his Sureties in this last mentioned bond are liable and properly chargeable with all the defaults and liabilities of said Sage growing out of the collection of the Taxes & levies for the year 1870, and the default before referred ^{to}, and for which said judgment was rendered constituted a part of the Taxes for the year 1870 and ^{which was} collected by said Sage long after the execution of his bond dated Jan 18th 1871. so that he and his Endorsers in this last mentioned bond are legally and justly chargeable with all his defaults as to the Taxes and levies for the year 1870 collected after Jan^y the 18th 1871. And your respondents are advised that since it is the province and the policy of courts of

and rest. that you know notwithstanding the rendition
of said judgment will charge the same upon the
securities of said Sage in the bond dated January 18th 1871.
where the same ought justly and legally to fall.

These respondents having now answered as fully as
demanded material pray hence to be dismissed with their costs.

Ayers & Morgan for Respondents

Hill + Gobble

Ads. } Joint Answer

A. R. Surgenor

Filed Apr. 5th 1882

J. A. Hyatt
Clerk

To the Hon. John A. Kelly Judge of the circuit Court
of Lee County Virginia.

The joint answer of A. R. Anderson and James
F. Jones to a crop bill filed in this Honorable Court against
them & others by A. R. Surgenner. These respondents reserve
to themselves the benefit of any and all exceptions which
they may be entitled to, as to said crop bill on the final
hearing thereof, for answer thereto or so much as they are
advised it is material for them to answer, answering say
That they suppose it is true that their co defendant Sage
was Sheriff of the County of Lee during the years 1869 & 1870
and they are advised that his regular term of Office expired
with the last day of the last mentioned year, and they
^{are} also informed that after his regular term of Office had expired
the Legislature of Virginia then in Session by an act approved
January 6th 1871 ^{of whom said Sage was one} authorized the old Sheriffs of the State to go
on and collect the Taxes and dues, which had just been
assessed, for the year 1870, and no part thereof had then been
collected, but before doing so they were required in all
cases where the several County Courts should require the
same to be done to execute a new bond with proper security
and cautions, And these respondents aver that as to said Sage
the County Court of Lee County did require him to execute
such new bond with good and sufficient Security in order
to entitle himself to collect the Taxes and dues of this County
for the year 1870 as required by said act. And these

respondents here state that said Sage did on the 18th day of January 1871 execute such new bond as was required by said county court and in conformity to the act aforesaid.

These respondents are advised, and hence charge that it was the intention of the Legislature of Virginia by the passage of said act to make the sureties of such old sheriffs as might be required by the several courts hereunder, to execute such new bonds, when the same should be so executed, liable for all Taxes and levies which they should collect for the year 1870 and after the execution of such new bonds, and not pay over to the proper parties and to release from liability on account of such Taxes and levies for the year 1870 all sureties of sheriffs who had become such prior to the passage of said act, In other words the sureties of said Sage who signed his bond dated January the 18th 1871 are liable for all the official acts and defaults of said Sage happening or occurring after the 18th of January 1871 in relation to the collection and paying out of the State Taxes and County levies for the year 1870. And these respondents here charge that all the defaults and liabilities of said Sage growing out of the collection and paying over of the Taxes and levies for the year 1870 happened and occurred after January 18th 1871. the date of said last named bond.

These respondents here state that during said Sages regular term of office which commenced in 1869 and ended with the 31st day of December 1870 he executed five several bonds as such Sheriff the first is dated April 20th 1869 the second Nov. the 18th 1869, the third Decr the 20th 1869, the fourth March 21st 1870

and the 5th and last May 19-1871. And his Sixth bond as collector of Taxes and levies, as before stated is dated Jan 18 1871.

These Respondents admit the fact that they became bound with others as said Sage's Sureties by signing said bond dated May 19-1870. and that they continued so bound until his regular term of service expired which was on the 31st day of December 1870. And during this period they admit themselves along with others to be ^{liable and} bound for the official acts of said Sage as such Sheriff. And for his defaults during that period they hold themselves answerable along with the others who signed the said bond dated May 19-1870.

These respondents deny that they are in any way liable for any of the official acts of said Sage before the 19th of May 1870. And they also deny that they are in any way liable for any of his official acts as collector of Taxes and levies after the first day of January 1871.

Your respondent James F. Jones as one of the sureties of said Sage in said bond dated May 19-1870 has paid out on liabilities of said Sage the sum of \$125.27. as shown by three receipts herewith filed marked, A.B, A.C, & A.D. and arrangements have been partially made by which he expects to pay out further sums on account of such liabilities, and when the same shall have been done, he will produce evidence thereof and of the additional amount so paid.

Your respondent A. R. Anderson has already paid out considerable sums as one of said Sages surties on account of his liabilities and he expects soon to pay out other large sums and when the same shall have been done he will produce full and satisfactory ^{proof} of all these his payments

Your Respondents will now state that the Auditor of Public Accounts on behalf of the Commonwealth of Va. about the 20th of March 1873 took judgment in the circuit court of the City of Richmond against these respondents and others who signed the said bond dated May 19th 1870 for One fourth part of the land property and capitation Taxes due the Commonwealth from the County of Lee for the year 1870. no part thereof having been paid by said Sage, and it is on this judgment that a considerable part of the money which these respondents have paid, and are to pay, have been applied. These Respondents are advised that they were not liable at the time. ~~The motion~~ was made by said Auditor which resulted in said judgment, for any of the Taxes due the State from the County of Lee for the year 1870 all of which was collected by said Sage after Jan'y 18 1871 the date of his said bond expressly executed to enable himself to collect the Taxes and levies for that year, and if they are now liable at law for said judgment, it is because they have suffered a judgment to be rendered against themselves without making any defense.

Best your Respondents are advised that it is competent
for a court of equity in cases like this to place the liability
where it in justice and of right must ultimately rest, and
respondents here charge that the securities of said Sage
in his said bond dated January 18-1871. are liable
and legally chargeable with all the taxes and fines collected
by said Sage in said county of See for the year 1870 and
not paid over according to law. And that these respondents
are not liable in a court of conscience for any part thereof.

These respondents having answered as fully as deemed
material pray hence to be dismissed with their costs.

Ayers & Morgan for Respondents.

We do swear that the facts stated in the foregoing answer so
far as made on our own knowledge are true and so far as
made on information derived from others we believe to be true
so help us god.

Anderson & Jones

as } joint Answer

A. R. Surgenor

Filed Apr. 5. 1882

J. A. Hyatt
Clerk

To the Hon John A. Kelly Judge of the circuit
Court of Lee County Virginia

The Separate Answer of Randolph Noe to a
cross-bill filed in the Original Cause of A. M. Ely for &c.
against William W. Sage & others, by A. R. Swagerman
against him and others would respectfully show
unto your Honor, by way of answer to said crossbill
That he with others on the 18th day of Nov. 1869
became bound with his co-defendant Wm. W. Sage then
sheriff of the County in a bond conditioned for the
faithful performance of his duties as Sheriff of said
County of Lee, and that he, your respondent and others
who signed the bond of that ^{date} continued so bound for
the faithful discharge of the duties of said office by said
Sage, until the 20th day of December thereafter,
and that on that day the County Court of Lee County
required the said William W. Sage as Sheriff of
said County to enter into and execute a new bond
according law. which said Sage accordingly did.

This respondent therefore her States that by the
execution of this new bond dated December the 20th
1869 his liability as such surety ceased & terminated
forever as to all the official acts and doings of said
Sage thereafter as such Sheriff, and this respondent
and those who signed the bond dated Nov. the 18-1869
are in law only bound and can only be held liable
either in a Court of law or equity for the official acts
and conduct of said Sage as such Sheriff from the
18th day of Nov. to the 20th day of December 1869

a period of 32 days only, and for this period of time this respondent admits himself liable along with his co obligors of that date, for all the defaults and liabilities incurred by said Sage, ~~as~~ which legally attached to him during said 32 days.

Yours respondent here states however that he knows of no default or liability incurred by said Sage during said period, and he does not believe that such liability or default was in any way incurred or attached to the official acts of said Sage during said period. And if correct in this then this respondent is in no wise liable to be called upon by the plaintiff or any one else for contribution or to bear any part of the loss sustained by others as the surety of said Sage in ^{his} various bonds as Sheriff and Tax collector for the county of Lee.

This respondent cannot be held liable for the official acts of his co defendant Sage as such Sheriff prior to the 18th day of Nov. 1869 nor can he be held liable for ^{said Sages} defaults and liabilities after the 20th day of December 1869 as before stated.

This respondent knows of no good reason why the Plaintiff in the crop bill should not call upon his co securities who are liable under the law for contribution to contribute their due proportion of the loss sustained by each set of securities in the several bonds referred to in the Peffs crop bill. Nor does this respondent know of any reason why the Peff for himself and

his co-Sureties who have suffered and are liable
still farther to suffer to seek to reimburse themselves
out of the property of said Sage whose duty it was
to save them harmless in the premises

This respondent hereby denies each and every
statement in the plaintiffs bill looking or tending
to charge him with any liability farther than
his herein admitted to be liable and having now
answered as fully as he is advised is material
to answer he prays hence to be dismissed with
his reasonable costs

Ayerst & Morgan for
Respondent Nae

Randolph Nae

Ads } Separate Answer

A. R. Surges

Filed Apr 1st 1881.

Jas W Orr Clerk.

To the Hon. John A. Kelly Judge of the Circuit Court
of Lee County Virginia

The Separate Answer of John A. Moor to a cross
bill filed in this honorable court against him and others
by A. R. Surgenor which cross bill is filed in the chancery
of A. M. Ely for &c. against William W. Sage & others and now
pending in your honors court. This respondent reserving
to himself the benefit of any and all legal exceptions which
he may be entitled to on a final hearing of the cause for
answer thereto so much thereof as he is advised it is
material for him to answer. Answering he says, that he
supposes it is true that his co-defendant W. W. Sage was
appointed by the Military authority of the State of Virginia
in 1869. Sheriff of the county of Lee, and that he continued
to act as such until the first day of Jan 1871. when his regular
term of service as such Sheriff expired, and he supposes it
it is also true, that his co-defendant Sage after the first
day of January 1871. collected the Taxes and dues of said County
of Lee for the year 1870. but before doing so this respondent
is informed and believes that said Sage was required by
the county court of Lee county to execute a Special bond in
order to entitle himself to collect the Taxes and dues for the
year 1870. after his term of Office had expired and that
such new bond was executed by said Sage in conformity
to an act of the General Assembly of Virginia passed January
the 6th 1871.

This respondent admits the fact, that he with others became bound as the securities of said Sage as such Sheriff on the 18th day of Nov. 1869. and that he continued so bound until the 20th day of Dec. 1869 when this respondent surrendered said Sage by proper notice to the county court of Lee County and said court then and there required said Sage as such Sheriff to execute a new bond or be removed from his office aforesaid and such new bond was then and there executed by said Sage with such securities as said court accepted as good and sufficient.

This respondent admits the fact that he with his co-obligors in the bond dated Nov. the 18th 1869. are liable and are jointly chargeable with any and all the defaults and liabilities of said Sage in his official capacity as such Sheriff which he may have incurred or which legally and properly attach to his official conduct from the 18th day of Nov. 1869. to the 20th day of Dec. 1869. But your respondent is advised and believes, that his liability as one of said Sages securities ceased or terminated forever on the 20th day of Dec. 1869. (the day when said Sage executed his third bond)

This respondent here alleges that he is not liable and cannot be held to account either in a court of law or equity for any of the defaults or liabilities which said Sage as such Sheriff may have been guilty of, or may have incurred prior to the 18th day of November 1869. nor is he so liable for any such defaults and liabilities after the 20th day of Dec. 1869.

June 15th 1874

Received of John A Moore Forty
Nine Dollars on an Execution in my hands
in favor of W B Graham for &c against
William W Sage and his Secutors. and on the 14th
day of June 1874. Received by the hands of W. E
Moore for John A. Moore the sum of Fifty five
Dollars on the same Execution above mentioning.
Making the sum of One hundred & four Dollars
Wm Ayr Baker Is for
C L Hamblin S L C

W. Am. Barber
No. Receipt

(6)

And respondent is willing to account with his co obligors in
the bond dated Nov. the 18th 1869 for all the defaults and liabilities
which properly and legally attach to the official acts of said
Sage as such Sheriff from said last mentioned date until
the 20th of Decr 1869. but beyond this, he is not willing
to account for anything or with any body or set of men.

Respondent will further state that upon a liability as he
supposes which said Sage incurred as such Sheriff during
the period last stated he was called upon and forced to pay
out as one of said Sages sureties the sum of \$104.00 of which
\$47.00 was paid on the 15th of June 1874 and \$55.00 on the
17th of June 1874 and a receipt of the deputy Sheriff of
Lee County showing these payments are herewith filed as a
part of this answer marked (C) And respondent fears
that his co obligors in said bond dated Nov. 18 1869 may be
required to bear their due proportion of this loss.

Respondent having now answered as fully as is deemed
material fears that Poffs bill he dismissed and he cleared
his reasonable costs.

Agrees & Mingun for Deft
Mort.

I do swear that the facts stated in this answer so far as made on
my own knowledge are true and so far as made on information
obtained from others I believe to be true so helping God.

Sworn to before me by John B. Mort

Col. John A. Moor

Ads } Separate Answer

A. R. Surgenor

Filed Apr. 5th 1882

J. A. G. Hyatt
Clerk

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia

William M. Donald a defendant to a crop bill
brought and filed in this Honorable Court against him
and others by A. R. Surgeson in the chimney
cause of A. M. Ely for against William M. Sage &
others; Says that he is advised that the plaintiffs
crop bill is not sufficient in law for the plaintiff
to have and maintain his said bill against him, and
he therefore demurs thereto and as cause for such
demurer he says that the Plff is not jointly bound
with him, and became bound only after this respondent
into liability as one of defendant Sages securities had
ceased forever, and on this his said demurer he
seeks the judgment of the Court. But not waiving
his said demurer, but relying thereon if any other
or further answer is required of him answering
he says that he supposes it is true, that he with others
on the 20th day of April 1869 became the securities of the
deft. W. M. Sage then high Sheriff of the county of Lee
for the faithful discharge of the duties of that office
according to law, and that he continued so bound until
the 18th of November 1869 when this respondent as
such security by proper notice surrendered said Sage
as such Sheriff to the county court of Lee county then
sitting and thereupon said Court then and there required
said Sage as such Sheriff to execute a new bond with
approved surety or he removed from his said office
which said new bond said Sage then and there executed

1878.

July 19th

"511"

Received of Wm McDonald, twenty three
dollars and ^{eighty}~~fifty~~ Cents the amount of an executed
principal interest, costs, and Shffs Commission
that he holds against me in favor of W. M. Ferguson
for Henry T. Ferguson, as security for W. W. Sage
in his official bond as Sheriff.

Thos H. Ely S. C.

(A)

Thos S Ely, Esq
Recd \$23.81
Wm McDonald.

whereupon the said County Court then and there by the order aforesaid, released this respondent and his co-obligors in said bond dated April 20th 1869, from all further liability as Sureties of the defendant Sage.

This respondent admits that he with his co-obligors in the bond dated April 20th 1869 are liable for the official acts of said Sage until the 18th day of Nov. 1869. But not afterward, and that for his defaults during that period, and liabilities which he may then have incurred, or which legally and properly attaches to his official conduct during that period, he has all along and now holds himself amenable and accountable, and is willing to bear his due proportion of the loss sustained thereby. But he is not willing, and he is advised that no court, either of law or equity can or will hold him accountable for the official acts of said Sage after the 18th day of Nov. 1869. This respondent will now show your Honor that ~~he~~ account of a liability which attached to said Sage or which he incurred during the aforesaid ^{period} that he was called upon and did pay the sum of \$23.80 on the 19th day of July 1875 in a judgment and execution in favor of G. H. Ferguson for which judgment had theretofore been rendered against said Sage and some one or all his Sureties in said bond dated April 20-1869 as will be seen by a receipt herewith filed as a part of this answer marked (A) and on the 19th day of Oct. 1875 this respondent on a similar liability as shown by a paper herewith filed marked (B) paid the further sum of \$91.08 both of which sums this respondent was compelled to pay as the surety of said Sage or have his property sold to pay the same.

Recd of Wm W McDonald ninety one
dollars & eight cents in full of
an execution in my hands in
favor of L W Cortes ^{Sur Adm for} vs
Wm W Sage & his securities in his official
bond for the amount by him said
Sage collected by virtue of his
office as Sheriff of Lee County vs
an execution in favor of said
Cortes ^{Sur Adm for} vs Nelson
Lunsford & which said sum said
Sage had failed to pay over, upon which
said judgment in favor of said Cortes
against Sage's accounts in his official
bond ^{& upon which} execution this payment is made is
in ~~favor~~ favor of said L. W. Cortes ^{Sur}
Adm^r of Wm Nickels decd vs Wm McDonald
B W Barker & A J Bailey. Oct-19th 1875
The City of L. C.

Thos. J. Kelly Sheriff
To Keep
Jm McDonald

(13)

This respondent is willing has no objection to an account being taken between himself and his co obligors in the said bond dated April 20th 1869 of the ~~liabilities~~ and sums paid or to be paid by the sureties of said Sage on account of his defaults and liabilities incurred between April 20 1869. and Nov. 18/69 and the same apportioned out among all his solvent sureties in that bond. But he is not willing to account with any other set of such sureties after Nov. 18/69.

This respondent knows nothing personally of the transactions of said Sage in selling and conveying or pretending to sell and convey the several tracts or parcels of land to his sons and other relatives referred to by the Pff in his crop bill, but this respondent believes them to be fraudulent and made with a view of placing the property of said Sage in the hands of his relatives so that he could enjoy the same and ^{they} at the same time be out of the reach of his creditors and sureties. This respondent therefore joins ⁱⁿ the prayer of the plaintiff, praying that said sales be set aside and held for naught, and that the same be decreed to be sold for the benefit of said Sage's sureties who have suffered so much on account of his defaults and liabilities as such Sheriff.

This respondent having now answered as fully as he is advised it is natural to answer he hereby expressly denies each and every statement in the Pff's bill which seeks to charge or make him liable for any of the losses sustained by any one, beyond what is herein admitted.

Respondent now says to be hence discharged with his
reasonable costs.

Miller & Ayres & Morgan

I do swear that the statements in the foregoing answer
are true so far as made on my own knowledge and
so far as made on information derived from others
I believe to be true so help me god.

Wm M Donald

Sworn to by Wm M Donald

Henry J. Morgan Comr.

William M Donald

Ans } Separate answer

A. D. Surquend
Filed Apr 1st 1881
per Wm On Clerk.

Ed 66.c

To the Hon John A. Kelly Judge of the Circuit
Court of Lee County Virginia

The answer of Russell J. Milham to a cross
bill exhibited in the chancery cause of A M Ely for
+ against William W. Sage & others by A L Surgenner
against him and others. This respondent assuring
to himself the benefit of all just and proper exceptions
to said cross bill for answer thereto or so much there-
of as he is advised it is material for him to
answer, answering says that he supposes it is
true, that he along with sundry other persons, on
the 20th day of December 1869 became the
Sureties of William W. Sage then high Sheriff of the
county of Lee in his bond of that date for the faith-
ful discharge of the duties of that office by said Sage
and this respondent continued so bound for the per-
formance and discharge of those duties by him until
the 21st day of March 1870. at which time some
one of his said Sureties surrendered him to the county
court of Lee county then sitting, and said court then
and there required said Sage as such Sheriff to
enter into and execute a new bond or be removed
from the office aforesaid. and this respondent avers
that said Sage on said 21st day of March 1870 did
execute such new bond with Sureties approved by
said county court. of Lee county. and from thence
forward these new Sureties became bound for the
official conduct of said Sage as such Sheriff. This
this respondents liability as one of said Sages Sureties

commenced on the 20th day of December 1869 and terminated forever on the 21st day of March 1870.

This respondent here states that he knows of no liability or default of said Sage during said period, nor does he believe that such default was made, or any liability incurred by said Sage during that time for which this respondent and his co-obligors in said bond dated Dec. 20th 1869 are liable, but if such liability is clearly shown to have been incurred by said Sage, or legally attached to him as such Sheriff during the period intervening between Dec. 20th 1869 and March the 21st 1870 then this respondent admits his liability to account with his co-obligors, and to shoulder his due proportion of these losses. But beyond this he utterly denies the plaintiffs right to call upon him to account for anything or to any one.

This respondent here alleges that he is not either at law or in equity in any way liable for the official acts and conduct of said Sage as such Sheriff prior to the 20th day of December 1869 nor is he so liable after the 21st day of March 1870.

This respondent knows of no good reason he could urge why an account should not be taken as between himself and all those who signed the bond dated Dec. 20th 1869, of said Sages liabilities and defaults and consequent losses of his bondsmen if any during that period but he is utterly unwilling to account with any other set of such sureties either before Dec. 20th 1869 or after March 21st 1870.

This respondent having now answered as fully
as he is advised it is material for him to answer
prays to be hence dismissed with his costs

Ayres & Morgan

I do swear that the statement of any fact set out in
the foregoing answer so far as made upon my own
knowledge is true and so far as made upon infor-
mation derived from others I believe to be true
so help me God.

R. J. Milham

Sworn to before me by

R. J. Milham

H. J. Morgan Clerk

Rupell J. Milham

Ads } Separate Answers

A. L. Sangerman

Filed Apr 1st 1881.

Jas W Orr. Clerk.

To the Hon John A Kelly Judge
of the Circuit Court of Lee County

The Separate demurrer
and answer of James Worley
to a bill of complaint exhibited
in this honorable court against
him and others by A. R. Senger

Respondant says plaintiffs
bill is not good and sufficient
in law wherefore &c

But if any other or further
answer is required respondent
answering says, that he suppo-
ses it is true as alleged in the
plaintiffs bill that respondent
became the surety for W. W. Sage
as sheriff of Lee County in his
official bonds along with the
said plaintiff and others as
alleged in his bill and as
reported by Coun W. A. Orr, but as
he has not examined the original
bonds and a long time has elapsed
he reserves the right to correct

error there may be in his statement here made, Respondant further answering says that he supposes it is true that he will be jointly liable for any sums that the plaintiff may have had to pay on account of the said Sages default, which were made during the time your respondent was liable by reason of having executed bond with him for the faithful performance of his duties as Sheriff as aforesaid, but your respondent requires strict proof of every and every item that plaintiff seeks to charge him with, not only that the same is just and has been paid by plaintiff but that the default for which the payment was made occurred during the period of time your respondent was liable by reason

of his said surety ship

Respondant further answering says that he paid out upon the liability resting upon him the sum of Eighty two dollars and forty cents in addition to the sum of Five hundred dollars which is mentioned by Comr W. A. Orr. in his report and which will be fully referred to hereafter.

Your respondent further answering says that it is true that the said W. W. Sage conveyed to him the two tracts of land as charged in plaintiffs bill one known as the 50 acre Ferguson tract and one known as the 100 acre Sprinkle tract but respondent expressly and emphatically denies that it was fraudulently conveyed or accepted in so far as your respondent is concerned respondent denies that he had

any notice whatever that W. W. Sage intended to defraud his creditors or securities by making the sale to respondent, on the contrary respondent does not believe that the said Sage had any intention of defrauding any of his creditors or any one else at time of said conveyance, and at all events your respondent did not know of or intend any fraud whatever when he took the said conveyance and the same was bona fide and for a valuable consideration as your respondent will now recite. W. W. Sage had approached Henry J. Morgan for the purpose of borrowing some money with which to pay off and liquidate certain claims that were pressing upon him for money that he had

had collected as Sheriff and
failed to account for. The
said Sage was informed by
said Morgan that he Morgan
would not loan him any
money but that if he could
procure some good man
who had confidence in
him to execute a note that
he Morgan would loan the
money and take the note.
The said Sage then approached
your respondent and request-
ed him to execute his note
to Morgan and borrow the
money and let him Sage
have the money and offered
that if your respondent would
do so that he Sage would ~~procure~~
convey your respondent the
two tracts of land hereinbefore
described. Your respondent
was still reluctant to do
this but finally consented

and came to Jonesville with
the said Sage and executed
his note for six hundred
and sixty dollars to the
said Morgan for which the
said Sage received from
said Morgan one hundred
and sixty dollars in notes
and paper due said Morgan
and five hundred dollars
in cash which was paid out
by said Morgan upon the
liabilities resting upon said
Sage for money collected
and not accounted for as
sheriff as aforesaid. The
specific items of which
are not recollected by
your respondent but which
he can easily establish by
the said Morgan, and your
respondent is informed &
believes that the bulk of the
notes and paper that was

received by said Sage from
the said Morgan were transferred
by him to the plaintiff on
other claimed and alleged
liabilities, and the money
collected by the plaintiff
and applied to his own
use. Respondant further
alleges that the said Sage
as a further inducement
to him to make the arrange-
ment agreed that he ^{Sage} would
procure his son or some
one else to re-purchase
the land at what respon-
dant had paid and relieve
him from the burden of
the note respondent had exe-
cuted to said Morgan, but
this the said Sage neglected
to do and it run on for
about two years when the
said Morgan required your
respondant to execute a deed

of trust to secure the amount
of the said note which was
bearing ten per cent interest
and was accumulating
rapidly in so much that
your respondent was forced
not only to embrace in the
deed of trust the lands that
Sage had conveyed him but
also respondent's home farm
containing over two hundred
acres, which was duly exe-
cuted to said Morgan, thus
the matter stood from year
to year the said Sage failing
to keep any of his promises
and undertakings until
about the year 1879 in
the Fall of said year, the
said Morgan had the lands
of respondent sold to pay
the said debt when the
whole including your
respondent's home farm

was sold and failed to pay
the said indebtedness by
some two or three hundred
dollars, thus instead of
being guilty of any fraud
your respondent in good faith
and for the purpose of re-
lieving the said Sage from
some of his liabilities, placed
himself in the condition
to be, and was deprived
of a home ^{and his last} or both of land.

Respondant states that it is
true he had knowledge of
the execution of the said deed
of trust by said Sage but as
there was a clause therein
authorizing the said Sage to
make private sale of any of
said ~~debt~~ ^{lands embraced therein} for the purpose
of paying off his liabilities
your respondent in good
faith took the conveyance
and got the money for him

which was applied in exact compliance with the permissive clause of said deed and to that extent relieved the said Sheriff from a pressing demand which would soon have been in shape of a judgment upon his bond. Respondant is further advised and so charges also that the said deed of trust has been by a court of competent jurisdiction declared to be fraudulent to wit: by the District Court of the U.S. for the Western Dist. of Va sitting at Abingdon. Respondant further answering says that he has in addition to the payments heretofore recited said deed settled his liability to the Commonwealth of Virginia on account of

the judgments against him and others as sureties for said Sage, and paid in said Settlement the sum of Three hundred and Seventy Seven dollars & eighty five cents all of which will fully appear from the receipt and release of the Auditor of Public accounts of record in the Clerk's office of the County Court of this County to which reference is here made and a copy of which will be filed as part hereof.

Respondant again expressly denying the charges in plaintiffs bill that he fraudulently took the said land for the purpose of aiding the said Sage to defraud delay or hinder his creditors and averring that the whole transaction was had bona fide and

with the utmost good faith
and generally denying each
and every allegation of the
Bill not confessed & avoided
or denied says to be hence
dismissed to to

Ayer & Morgan
Dft Counsel

I do swear that the statements made in the foregoing
answer so far as they depend on my own knowledge are
true, and so far as made on information derived from
others I believe to be true so help me God.

James Worley

Sworn to before me by James Worley the day of April 1882.

Henry J. Morgan Comt.

James Worley

Ads. } Answer

A. R. Surgenor

Filed Apr. 5-1882

J. A. G. Hyatt
Clerk

A R. Surgenor

vs.

W. W. Sage late Sheriff & others

Paff

Exhibits on Paffs Bill

Defto.

This cause came on this day to be heard on the Bill of the plaintiff and exhibits therewith, the joint and several answers of defendants & replications thereto. The deposition of witnesses, the several reports of Com. Wm. A. Orr, and the joint report of J. W. Orr, and Henry J. Morgan filed in the cause on the 21st day of March 1884, and was argued by counsel. On consideration of the Paffs bill, and the answer of James Hovey and the deposition of witnesses bearing on the question raised by said bill and answer.

It is adjudged ordered and decreed that the plaintiffs Bill be dismissed in so far as it seeks to set aside the deed of conveyance made by W. W. Sage to James Hovey dated February 6th 1872 a copy of which is filed as Exhibit D. with the Paffs bill. And that said Hovey take and hold the land thereby conveyed to him and that he be quieted in the possession thereof. And the report of said Commissions Orr & Morgan, being unaccepted to, and seen and inspected by the Court is in all things confirmed, and pursuant to Statement (A B C) It is further adjudged ordered and decreed that William McDonald recover of A R. Surgenor as receiver the sum of \$17.94 with legal interest thereon from the 14th day of June 1881. Till paid. And that said McDonald also recover against his co. obligors in bond No. 1 as follows To wit: Of Wm. R. Graham \$23.01 $\frac{1}{2}$ of B. W. Barker \$23.01 $\frac{1}{2}$ of A. J. Bailey \$23.01 $\frac{1}{2}$ of Joseph Lave \$23.01 $\frac{1}{2}$ & of Thos J. Ely admr of D. B. Dickinson \$23.01 $\frac{1}{2}$ with interest on said sums from June

And that A. L. Paine is assignee of A. R. Surgenor recover on account of his assignees the sum of \$723.77 ^{plus 10 cts.} like said Surgenor retaining and recovering of said debt of \$773.72 the sum of \$50 to the said sum out of accumulated interest thereon

the 14th 1881. Till paid: That John A. Moor recover of the following persons the following sums with interest from the 14th day of June 1881 Till paid that is to say against A. R. Surgenor as receiver \$20.96 and against him as co obligor in bond No. 2 \$32.27. against Randolph Nye \$32.27 and against Wm. P. Miller \$28.90 That Sanders H. Seway recover of the following persons the following sums to wit of Wm. P. Miller \$3.37. of John M. Andis \$23.58. of Sam \$21.48 & of Dickinson Goble \$24.65 with legal interest on said several sums from June 14 1881. Till paid.

That A. R. Surgenor recover of the following persons the following sums to wit of Dickinson Goble \$47.06. of John M. Andis \$5.16. ~~of Wm. P. Miller \$32.27~~, of A. R. Anderson \$17.30, of S. S. Surgenor \$658.92 with legal interest on said several sums from the 14th day of June 1881 Till paid

That Jonathan Dutton recover of the following persons the following sums. of Wm. P. Miller \$42.47 of John M. Andis \$15.73 and of C. M. Hill \$12.81. with legal interest on said several sums from June 14 - 1881. Till paid:

That S. S. Surgenor recover of S. H. Seway \$26.20 and of C. M. Hill \$25.26 with legal interest on these sums from the 14th day of June 1881. Till paid

That A. R. Anderson recover of the following persons the following sums viz of John M. Andis \$26.20. Of Dickinson Goble \$19.27. of Sam \$4.81. & of C. M. Hill \$33.06, with legal interest on these several sums from June 14 1881. Till paid:

That Joseph H. Bundy recover of the following persons the following sums viz of, S. H. Seway \$242.20. of Wm. P. Miller \$231.37. and of John M. Andis \$5.50, with legal interest on these several sums from June 14 - 1881. Till paid

And that P. H. Sawyer receiver of John M. Andis \$5.13, with
legal interest thereon from June 14 - 1881. Till paid And execu-
tion is awarded in favor of each person who has herein
recovered, against each person against whom decree has been
rendered. And it is further adjudged ordered & decreed
that each of the persons mentioned in each table of insolvents
set out in paper (A B L) with Com. Or. & Hoggins as before say
the sum or sums therein mentioned to ^{A. R. Durgener} ~~W. Durgener~~ who is
hereby appointed a receiver for the purpose and he is
directed to disburse the same in the manner directed
by said paper (A B L) and execution is awarded said
^{A. R. Durgener} ~~W. Durgener~~ against each of said parties And no
further action being necessary this cause is struck from
the docket.

.. .. .

A. L. Senger

no. { Deane final

W. W. Sage to this

Entered pages 372-3

J. P. Hyatt
CLK

Enter
J. P. Hyatt
Mar. 27/84

A. R. Surgenor

vs.

Wm. W. Sage & others

Plff.

Defts.

In Chy

For reasons suggested to the Court on this day
It is adjudged ordered and decreed that the decree
entered in this cause on the 5th day of Sept 1883 be
and the same is hereby set aside. And Jas. H. Orr
and H. J. Morgan are hereby appointed Special com-
missioners who are directed to settle and adjust
all matters of accounts ^{between the parties to the cause} growing out of the defendant
Sages transactions as late Sheriff and Tax collector
for the county of San they will report their action
to the court, and the cause is continued

A. R. Surgenor

vs { Decm

W. W. Sage & Co

Entered page 345-

J. A. Styratt
Clerk

Enter this

In A. K.
Sept 6 1883

A. H. Surgenor

vs.

W. H. Sage & al

Plff

Defts.

In Chy

By consent of parties It is ordered that J. H. Orr
be substituted in the name of Wm. A. Orr the former com-
missioner in this cause, who is directed to perform and
report upon any and all matters required to be re-
ported on by the said William A. Orr.

A. R. Surgenor

as } Deere

W. W. Sage & Co.

Entered page 335

J. A. Hyatt
clerk

Enter this

In A. R.

Apr. 4/83

A. R. Sargent vs Compt^r m. M. W. Sage et al Dist. Tr Chy

This cause came on ^{by consent} again to be further heard on this day, upon the papers heretofore read, the report of J. W. Orr this day filed without exceptions, and was argued by Counsel for for p^lf + defendants.

On consideration whereof it is adjudged ordered and decreed that said report be confirmed and that, unless the parties severally shown to be ~~liable~~ indebted by statement & accompanying said report, within 60 days, pay to the parties severally entitled thereto, ~~as shown by said statement~~ the several sums shown by said statement to be due them severally, with interest thereon from the 30 day of June 1881 till paid, then execution may issue therefor against the parties so failing to pay ^{the sums} ~~severally~~ ^{due by them} in favor of the parties severally entitled thereto; and the cause is stricken from the docket.

Surgener
vs $\frac{3}{4}$ Leere

Sage et al

Aug 7. 1883

Enl
J. A. K.

A.R. Surgeon

Plff

78

B. Inley

W. W. Sage et al -

Def.

This cause came on again this the 8th day of September 1882 to be heard upon the papers formerly read, the report of W^m A. Orr commissioner, and exceptions No 1, 2, 3 & 4 filed to said report and was argued by counsel. On consideration whereof, and it appearing to the Court that said report was made before many of the answers of the defendants were filed, and that said answers set up many items not embraced in said report, Commissioner Orr's account is recommended to him and he is directed, proceeding upon the former decree in this cause to state specifically all the liabilities incurred by said Sage as Sheriff of Lee County Va, on which of said bonds each of said liabilities was incurred and if paid by whom the same was paid. Said Commissioner will also ascertain and report any sums of money that have been paid by the Plaintiff or any of the defendants towards the prosecution of this suit, and embrace the same together with the legal costs of this suit. ~~which he will embrace in our~~ statement, and if required to do so he will also ascertain and report any fees paid or costs incurred by said Sage & parties

111 36
3
108
76
184

A.R. Sugrue

157 Deane

W. H. Sagar et al

Entered Pages 283 + 24

J. A. Hyatt

Clerk

Enter Two more

In A.R.

September 8th 1882

or any of them in the defense of suits actions
or motions made against them by whom and
on what account the same was incurred and
upon what set or sets of sureties said liabil-
ities should rest if upon any, he will
report any other matter deemed pertinent by him-
self or required by any of the parties to be
reported, all other matters are reserved and
the cause is continued,

A.R. Serzenes plf.

M

In chy

M. W. Sage et al Defs

On motion of Randolph^{sd}, R. J. Toulham
Wm. M. Donald, A. J. Beily, John A. Moore, James
Worley, & T. S. Ely administrators of H. Ely, decd. they each
have leave to file & file their separate answers to the
plaintiffs' bill, to which several answers the plaintiff replies
generally. And on motion of Charles M. Hill & Dickerson
Gibbs, they have leave to file & file their joint answer
to the plaintiffs' bill, to which the plaintiff replies
and on like motion & leave, A.R.
Anderson James D. Jones, they file their joint answer
to which the plaintiff replies; & this cause is continued.

Singer
vs $\frac{3}{4}$ Beebe
Sago et al

Entered page 261
J. A. Hyatt
Clerk

Enter
J. A. K.
Apr. 5/82

A. R. Surgenor.

Plaintiff

vs

3 In Chancery, on Cross Bill

W. W. Sage & others.

Defendants.

This cause came on this 5th day of April 1881 to be heard upon the Cross-Bill of the Plaintiff and exhibits filed therewith, the demand of W. W. Sage R. D. Young and Harrison Sage and was argued by counsel. And it appearing to the Court that process ^{upon all the home defendants} has been served and order of publication duly made posted and published against the non residents for more than 30 days before the first day of this term of the Court and that each of said defendants except the said W. W. Sage, Harrison Sage & R. D. Young, have failed to appear answer plead or demur the Plaintiff's bill is taken for confessed as to each of them. And the said, R. D. Young, W. W. Sage and Harrison Sage ^{withdrew their} ~~but pressing their said demand the~~ said bill. And it appearing to the court that by agreement of the parties this bill is to be dismissed as to W. W. Sage, Harrison Sage & R. D. Young they having surrendered the property sought to be subjected in this cause to ~~be~~ ^{be} ~~seized~~ ^{seized} to account \$775⁰⁰ to a receiver

in this suit W. W. Sage
for the benefit of his creditors in his official
hands according to their respective claims
against him, and their respective rights
as against said Sage, and as to their
respective claims for contribution between
the ^{said} several creditors of said W. W. Sage
it is therefore appearing to the court that in
account ^{as to} the matters herein indicated
is necessary & that a receiver is necessary
to take charge of & hold subject to the future
order of the court, ^{the fund specified} it is therefore adjudged
ordered & decreed that W. A. Orr who is
hereby appointed a commissioner for
the purpose will take stock & settle
the accounts between the several creditors
of said W. W. Sage as sheriff & tax
collector of Lee county Va. showing how
much and on what claims each one has
paid & the proportion of this fund hereafter
to come into the hands of the receiver herein
appointed, and how much each one
of said creditors shall contribute to equalize
them & to whom payments is to be

made to effectuate that purpose, he
will show which of the securities are
solvent which are insolvent & what
is necessary to equalize them said
according to their respective legal liabilities in the preceding
solvent securities. And A. R. Surgen
is hereby appointed a receiver of
the fund coming from said Sages
& the payment of which is provided
for in this case but said Surgen
shall give bond in the penalty of
\$2500.⁰⁰ as said receiver conditioned
according to law. ^{before he receives same & account} the court will
report to a future term of this court
& this cause is continued.

A. R. Surgenor

as { Dacru

Wm. W. Sage & others.

Entered Page 184
John C. Orr, D.C.

Ente
J. A. K
Apr 5/81

A. R. Surgenor.

Plff

vs
Wm. W. Sage et al

Defts

On a Cross Bill

The deposition of James Worley & others taken on this the 28 day of August 1882, pursuant to adjournment, which are intended to be read as evidence on the part of the said Worley one of the defendants in the above styled cause, said Worley being duly sworn deposes and says.

That about the month of February 1872, as well as he now remembers, his Co.-defendant Wm. W. Sage did convey to him the two tracts of land in the Bill mentioned and in consideration thereof, I executed my note to Henry J. Morgan for the sum of Six hundred & Sixty (\$660) Dollars bearing 10 per cent interest from date, and afterwards I executed a Deed of Trust on said land together with my home lands to secure the payment thereof, and at a subsequent time all of the said lands were sold under said Deed of Trust, when the same did not bring a sum sufficient to discharge said Debt by some one, two or three Hundred Dollars

of the money thus borrowed by me

for said Sage, about \$500.⁰⁰ thereof was paid by said Morgan on debts and liabilities of said Sage as Sheriff for money collected and not paid over by him, as I have often been informed by said Morgan & Sage, and the balance of the \$660. to wit \$160. was paid by said Morgan to said Sage in Notes, as I have also been informed by each of them.

At the time I executed said note to said Morgan, and said Sage conveyed to me said land, I had no knowledge whatever that the said Sage intended to practice a fraud on any one, but upon the contrary I had the utmost confidence in him, and did what I have already detailed as an act of kindness to said Sage, thinking that I was perfectly safe in so doing. It is true that I had knowledge that said Sage had executed a deed of Trust on the lands conveyed to me as well as on other of his lands, but he had reserved therein the right to sell any of said lands for the purpose of raising money to relieve any of his securities, and believing that he had such right under said deed of Trust, and knowing as I did

that the object, in the main, which he had in view, was to raise money with which to pay off liabilities which he had incurred as Sheriff for money collected and not paid over. I therefore gave my consent to execute my said note to H. J. Morgan, and accepted his deeds of conveyance in the utmost good faith and without any intention to defraud or injure any one.

My Co-defendant Sage, at the time of this transaction told me that there were some liabilities hanging over him and that his sons were going to help him ^{and for so doing they ^{ought} to be compensated in land.} to pay them off, and if such liabilities were not too heavy, and they should be able to pay them off, & have enough left, and should I become tired of said lands and desire them to take said lands back they were to do so, and were to pay the note to said Morgan, and I was to reconvey said land to Harrison Sage, upon condition only, that he paid said note to H. J. Morgan, but this he has so far failed to do, ~~but my Co-defendant Sage~~ and it was the distinct understanding and agreement at the time between

us, that if any thing should happen that said Sage or his son should not be able to pay said debt to said Morgan, then I was to do so, and the land to be mine, and this we all thought to be a perfectly safe arrangement,

Some time before this transaction was had, Hiram Brasier had told me that Mr. Sage would finally break up, and when that should happen some of his securities would suffer while others would be saved harmless but I thought he was joking and did not believe it, for he told it in a jesting way, and a short time thereafter I again saw Mr. Brasier and asked him if that programme was to be carried out that he had told me about and he said "no that every thing would be settled up all satisfactorily."

After I had executed my note to Morgan and Sage had conveyed said land to me, I had several conversations with Dr. Wm. P. Miller during some of which if not, all, I repeated to him what Mr. Brasier

5 had said to me, but I do not remember
~~nor do I~~ believe that I ever did
state to him the facts which he has
deposed to in his deposition, ^{with reference to this transaction} but
as before stated I told him what
Braisier had stated to me, and I
suppose I may have also told him
what my opinion was as to the
objects had in view by said Sage,
and I may have told him that
I thought Sage would ultimately
get his land back through other
persons, and I was advising him
to watch for himself, this all
happened or took place some
time after I had executed my
note to said Morgan,

Cross examined by Plffs Counsel
Question by Plffs Counsel -

At the time - Wm W Sage made the
deed to you. Was there not a title bond
drawn up for you to sign binding
you to convey said two Tracts of land
to Harrison Sage.

Answer. Sage said he had one so
drawn up, but I did not see it.
Question by same. Was it not a part
of the agreement between you and Sage
that you were to execute your note

to Morgan. That Harrison Sage was to execute his note to you - and that Wm H Sage was to hand the money to Harrison Sage and Harrison to hand it to you and you to hand it to Morgan and lift your note.

Answer Mr Sage told me he wanted to borrow \$600, & that he could get it with my note, and told me he would deed me land as a bonus that he did not want me to keep the land long, and if I became uneasy to let him know it and the money should come and I should be let out of it. He told me that his sons were going to help him pay off his liabilities and that they would have to have a part of his land, and informed me that I would be safe anyway, that the land deeded me was worth the money. It was a part of our agreement that Harrison Sage should execute his note to me for the same amount which I was to execute my note to Morgan which was also to be given me as a bonus. That then I was to execute a title bond to Harrison Sage by

which means as said Sage informed me they the Sages would remain in control of the land, Sage said that Harrison would pay me the money and lift his note, and that I could pay it to Morgan and lift my note and no one would be hurt. Question by same - Did not St. W. Sage tell you that he would hand the money to Harrison to hand to you. Answer - I don't think he did.

Question by same how you got told C. J. Duncan at various times that Wm. H. Sage told you that he would hand the money to his son Harrison to hand to you and that you were then to hand it to Morgan and lift your note, Answer I have, but it gained this information some 2 or 3 months after the deed was made to me by Sage and I gained the information in this way - Hiram Brasier trustee in a trust deed executed by Sage showed me an advertisement of said Sages lands including the two tracts deeded to me, stating that all were to be sold pursuant to said trust deed and this alarmed me and I at once

recent to see Sage concerning the matter and he told me that he was able to pay all his liabilities and invited me into his house to see his resources but I declined to go, and on this occasion and time it was that Sage told me he would hand the money to Harrison, & that Harrison would hand the same to me, so that I could pay Morgan.

Question by same - Had not Hiram Braiser told you before you executed your note to Morgan and before Sage made the deed to you that Sage was going to break - and that said Sage had executed a deed of Trust to him in which he conveyed all his lands to him. Braiser.

Answer - I do not ^{me} remember that Braiser had ever told me any thing about the deed of trust before the time of our transaction, referred to, but I had knowledge of the deed of Trust having been executed by Sage to Braiser Trustee, some time during Sages Sheriffalty and before I executed said note & before said Sage made the Deed to me Hiram Braiser

9 told me that Sage would break and that some of his sureties would suffer while others would not.

Question by same. Did you not know at the time you took the deed from Sage that said Sage was hard pressed and in a failing condition.

Answer. I did not know his situation.

Question by same. Had Did not Sage tell you of his liabilities before and at the time he made the deed to you.

Answer. He told me he wanted some money to pay some debts that was pressing him in his sheriff matters and that was the reason he deeded me the lands.

Question by same. Did not H. F. Morgan tell you at the time you executed your note to him and let Sage have the money that he believed Sage to be in a failing condition and that Sage had tried to borrow the money from him & that he Morgan would not let him have it because he thought said Sage was in a failing condition

Answer. I do not recollect that he did.

Question by same. Why wasn't it that when Sage did not execute his note to you on that day

Answer. I do not know

Question by same. Did not. — Sage
Did you see the Trust deed executed
by Sage to Brasier before you took
the deed from Sage.

Answer I did. He showed it
to me and stated that the
right was reserved to him to sell
any of his lands so he applied
it to the relief of his duties.
And further this witness saith not.

James Morley

Wm W Sage an other witness of lawful
Sage deposes and says.

That he conveyed the land in the
Bill mentioned to his Co-defendant
James Worley and that he did so for
the purpose of raising money with
which to payoff, debts which he had
collected and become liable for, and
not paid over, and that he did so
for the express purpose of relieving
his securities in his official Bonds
as Sheriff of the County of Lee.

At the time of this transaction I knew
I was considerably involved, but I did
not know I was involved as deeply
as subsequent events has proved, I
regarded the transaction rather in the
nature of a Trust and I thought I
would be able to meet all my liabilities
and have something left, and hence I
procured Mr. Worley to give his note
to Mr. Morgan for \$660.⁰⁰ in Consider-
ation of which I conveyed to him
the said land, at the time of doing
so, it was understood that my sons
were going to aid me in paying off
my liabilities and it was the unders-
tanding between them and myself if
they did so, that they were to have

lands to the value of the money that they might pay upon my liabilities as such sheriff, and I told Mr. Worley at the time of the transaction of the arrangement between myself and sons, and it was understood between said Worley & myself at the time, that should he not want to keep the land, and my sons were able to do so, they would pay Morgan the debt, and he could then convey said land to them and I also told Worley at the same time, that if any thing should happen that we should not be able to pay said debt to Morgan and thereby redeem said land, that he was safe any how, for the land was worth the amount of Morgan's debt - and that he would have and hold the legal title, there was no actual, nor intentional fraud in the whole transaction, but the same was made bona fide and without any intention of fraud, or to hinder or delay the collection of debts, nor was it made for the purpose of getting my estate

into the hands of my family or
any one else, only in so far
as they might advance money
to me to meet my liabilities as
sheriff and thereby relieve my
securities.

William W. Sage

James Worley
Ads. } Depositions

A. R. Surgenor

The Deposition of W^m A Orr & W^m
P Miller

taken pursuant to agreement at the Clerk's
Office of the Circuit Court of Lee County,
Virginia on the 16th day of August 1882
and intended to be read as evidence
in a chancery cause (Cross bill) now
pending in the Circuit Court of Lee
County Virginia in ^{which} T. R. Surgeon
is Plaintiff and William W. Sage,
James Worley and others are Defend
ants.

W^m A Orr a witness of lawful age
introduced by the Plaintiff deposes &
says - -

Question by the Plaintiff.

Did you ever have any conversation
with the Defendant James Worley relative to
the deed made by W^m W Sage conveying
to said Worley the two tracts of land
in the bill and proceedings in this cause
mentioned? If so will you please state
all the said Worley said about it and
whether or not he claimed said deed
to be fraudulent or not.

Answer I have had several conversations with the
said Worley about the said deed - the
chief conversation I had was with him on
the 15th day of January 1879, at which time

he had me to prepare an Answer on that subject to a bill of review filed by A.R. Surgen & others against the said Worley & others, in which he states in substance that he did not understand at the time that it was to defraud any one, but from what Wm. V. Sage has said to him since, he is now convinced that it was the intention of Sage to practice fraud upon his Creditors. Worley said that Sage was to give his son Harrison the money to pay off the Morgan debt on hand it to him (Worley) for that purpose, and then Worley was to convey the land ~~to~~ to Harrison Sage. After the trade was made Worley has always told me that Sage told him that he made the trade for the purpose of shifting his land into his sons hands, and that he was of the opinion that Harrison Sage & his father would have paid the Morgan debt if he (Worley) would swear that the transaction upon the part of Sage was a bona fide one. And further

this deponent sayeth not.

Wm. J. Orr

Wm. J. Miller, another witness of lawful age being duly sworn deposes and says -

Question by Peffs Counsel. Did you ever have any conversation with James Worley in reference to the Sage Sheriffalty, and especially in regard to the deeds made by the said Sage, to James Worley of the Two Tracts of land in the bill and proceedings in said cause mentioned.

Answer I have

Question by the same. Will you please state what that conversation was when it was had and especially all he said about the said deeds, and their execution all that he said about the fraud, &c.

Answer - I have had several conversations with James Worley at various times concerning this affair - the first conversation I had with him was about the time he said Sage got the money from Judge Morgan and therefore about the time of the execution of said deed, and the conversations have been continued by said Worley with me until perhaps early last spring. In the first conversation I had with me, he told me that Sage

the money from Morgan

informed him (the said Worley) that
he Sage was bound to break and
that a part of his Sureties were
bound to suffer, that others he
intended should not suffer, he
further informed me that said
Sage said that he was going to
so manage as to get his property
all into the hands of his family,
mentioning especially his son Harri-
son, he further informed me, that
said Sage informed him that in
order to carry out his said plans,
it would take the intervention of a
third person, Worley told me
that Sage had got him ^{to assist him} to carry
these plans into execution, and in
order to aid him that he had
executed a note to H. J. Morgan
for \$660. that Sage had got \$500.
of this sum in money or that
Morgan had settled that sum
for him in debts that were pres-
sing him, and the balance of
said sum, said Morgan had
paid Sage by transferring notes or
debts to him the said Sage, that
thereupon the said Sage had convey-
ed

to him Worley the said two tracts
of land. That he Sage was to
furnish through his son Harrison
the money and that he Worley was
to hand it to Morgau, and lift
the Note that then he Worley was
to deed said land to the said
Harrison Sage so that it would
inure to the benefit of his family.
He Worley always claimed to me in
perhaps all the conversations I ever
had with him on the subject, that
he was not to keep the land but
as before stated, was to convey it
to Harrison Sage for the benefit
of Sage's family and in all the
later conversations he had with me
about it, he was blaming Sage
for deceiving him and in these
conversations he declared that
the reason why Sage had permitted
him to suffer was because he Worley
would not swear for him as he,
Sage desired, that the deed referred
to was made to him in good faith
and not for the benefit of his Sage's
family, and he Worley could not
so swear, but stated that the deed

was not for him to have or hold
the land, but only as a bonies
and that the money was to be
paid ^{back} to him by Harrison Sage
closing always, or generally so, with
the remark that Bill Sage had
practiced a defraud upon him.
And since reflecting I am certain
that the first conversation I had
with said Morley was before the
land and money transaction took
place between said Morley & Sage.
And further this deponent
saith not.

Wm P. Miller

Witness Claim

Wm P. Miller 50

Virginia

Lee County to wit.

I J. A. Hyatt a comr. in
Chcy in and for the County Court of
said County do hereby Certify that
the foregoing depositions were taken
before me and subscribed in my
presence by said Miller and Orr
and swear to before me at

the time and place and for the
purposes mentioned in the
Caption given under my hand
this August 16th 1882.

J. A. Hyatt
County

Bill of costs

Cour. for Spd . 20⁰⁰

" Depts $\frac{2.25}{\$2.45}$

Wit $\frac{.50}{\$2.95}$

A. R. Surgenor
vs. ^{Quinn} Depe for Deff.

Wm W. Sage et al

Filed Aug. 16th 1882

J. A. G. Hyatt
Clerk

Court fees \$3.45-
Witness 50
\$3.95-

As well as I now remember I became one of W. W. Sages Securitys as Sheriff of Lee County in his bond dated in Decr. 1869. and so remained until the March County Court in the year 1870 when some one of my co-bondsmen surrendered said Sage to the County Court. and required him to give a new bond which he accordingly did, and I did not afterward become such Security again.

No claim or demand has, as far as I know ever been asserted, or attempted to be asserted, by any person or firm, against the bond in which I was one of said Sages security above referred to. Nor have I, or any of my co-obligors in said bond ever at any time or for any purpose incurred any expense in the way of attorney fees or otherwise in the premises so far as I know, or have heard, and do not think I or any co-obligors in said bond ought to be taxed with any part of the expense incurred in defending matters and claims brought and prosecuted against bond 4, 5, & 6. I am willing and think it right that the reasonable costs of this suit, should be paid out of what may or has been realized thereby out of said Sages property.

To the truth of these statements I do swear so help me God.

Rufel J. Milham

Sworn to and Subscribed

by R. J. Milham March 31/1883

H. J. Morgan Court. Secy.

St. J. Miesham

ad. { Affd. in Support of Esq.

A. R. Surgenor

I was one of Sages Securitys in his bond as Sheriff of Lee county dated Nov. 1869. as well as I remember and so continued until Dec. 1869. Being about one month at which last date. said Sage gave a new bond which I did not sign, and I did not afterward become said Sages Security in any of his bonds.

One or two motions for small sums was made by some persons against the security in the bond above referred to. and judgment or judgments were rendered thereon without defense as well as I remember, and the claims paid off and discharged by some one or more of the securitys in said bond dated in Nov. 1869. without incurring one farthing in the way of attorney fees or other charges of any kind so far as I know, or have heard.

I am ready to admit that the reasonable expenses of this suit ought to be paid out of Sages effects which have been or may be realised in this suit. but I am wholly unable to see why I, or my co. obligors in said bond dated Nov. 1869 should be called upon to pay any part of the attorney fees or other charges growing out of the various matters relating to the last three bonds given by said during his continuance in office, and sometimes referred to as bonds 4, 5 & 6. and dated in Dec. and May 1870 and January 1871.

To the truth of these statements I do swear so help me God.

A. R. Surgeon Plff.

vs } In Chancery
Wm. W. Sage Sheriff et als Defs

To the Hon John A. Kelley
Judge of the Circuit Court of Lin. County.
Your undersigned Special Commissioner
in the above styled Cause begs leave to
report that he has proceeded to investigate
and settle the several matters required of
him as of the 13th day of June, 1881.
Wm. W. Sage, while Sheriff & Tax Collector,
executed six Official Bonds. His Securities
in "Bond No. 1" paid for him \$156⁰⁵ and
this entire amount was paid by William
McDonald. I do not deem any of Mr.
McDonald's Co-Securities solvent, and they
being five in number, must say that he is
entitled to recover from Wm. R. Graham
\$26⁰⁰/₁₀₀; from B. W. Barker \$26⁰⁰/₁₀₀; from
A. J. Bailey \$26⁰⁰/₁₀₀; from Joseph Lowe \$26⁰⁰/₁₀₀; and
from the Estate of Daniel S. Dickenson
\$26⁰⁰/₁₀₀. For items see "Statement of Bond
No. 1."

On "Bond No 2," the securities have had
to pay the sum of \$182³². Of this amount
John A. Moore has paid the sum of \$146⁶⁸
and S. H. Lindsay has paid \$35⁶⁴. In
this bond there are but four solvent

securities. To equalize the burthen of this bond John A. Moore must receive from S. H. Liveray \$8⁹⁴; from A. R. Surgen the sum of \$45⁵⁸; and from Wm^r Miller the sum of \$45⁵⁸. In "Statement of Bond No. 2."

I find nothing paid by securities in "Bond No. 3." nor upon Bond No. 4 alone.

In bond No. 5 I find that they have paid \$2277⁷⁸. Of this amount A. R. Surgen has paid \$1859⁸¹; James Woolley has paid \$82⁴⁰; S. S. Surgen has paid \$39⁹⁰; George B. Milbourn has paid \$95⁵⁷; and A. R. Anderson has paid \$200⁰⁰.

In this bond there are but five solvent securities - and to equalize; Wm^r Miller must pay to A. R. Surgen \$436⁴⁴/₅ - (\$436⁴⁴/₅);

A. R. Anderson must pay to him \$236³⁴/₅;

S. S. Surgen must pay him \$396⁵⁴/₅; and James Woolley must pay him \$354⁰⁴/₅.

In "Statement of Bond No. 5" for items and vouchers.

In bond No. 6 I find that the securities have paid \$2161⁵⁵. Of this amount A. R. Surgen has paid \$879⁵⁵/₅; J. A. Bundy \$808⁴⁸; S. S. Surgen \$149⁸⁵/₆;

S. H. Livsey \$92⁴/₃; S. S. Dickinson
\$173⁸⁰; and P. H. Livsey \$57¹⁴/₂

In this bond, there are five solvent sureties.

It will be seen that Jos H. Bundy and
A. R. Surgeon have borne the burthen
of our paying. To equalize the solvent
sureties: Wm P. Miller must pay to

A. R. Surgeon \$208⁰⁴ and to Joseph H.
Bundy \$178.08; S. S. Surgeon must pay to
A. R. Surgeon \$128³⁹ and he must pay to
Joseph H. Bundy \$107⁸⁸; and S. H. Livsey
must pay to A. R. Surgeon \$158⁰⁸ and he
must pay to Jos H. Bundy \$135³². See
"Statement of Bond No. 6"

There are liabilities against bonds 4, 5 & 6
jointly amounting to \$231⁸³ which have
been paid. A. R. Surgeon paid \$81⁵³;
S. S. Surgeon paid \$77⁶⁶; and A. R. Anderson
paid \$72⁶⁴. In these bonds there are but
ten men who are solvent. Therefore, James
Marley, C. W. Hill, Wm P. Miller, Dickinson
Goble, S. H. Livsey, J. W. Audis and
J. H. Bundy must each pay to A. R.
Surgeon the sum of \$8.33¹/₄; and they
must each pay to S. S. Surgeon \$7.28⁷/₄;
and they must each pay to A. R. Anderson
\$7.06¹/₄. See "Statement of Bonds 4, 5 & 6."

There are liabilities against the securities in all the bonds jointly amounting to \$365⁸⁰. Of this sum A. R. Surgen has paid \$198⁶³; S. H. Liversay has paid \$65²⁵; P. H. Liversay has paid \$32²⁵; A. R. Anderson has paid \$32²⁵; and J. H. Bundy has paid \$37⁶².

On this matter James Woolley, Charles W. Hill, Court Miller, Dickinson Gobble, J. W. Andis, S. S. Surgen, Hiram Ely, R. J. Kilam, J. A. Moore and Wm W. Donald should each pay to A. R. Surgen \$17²⁵¹/₁₀; to S. H. Liversay \$3.89³/₁₀; to P. H. Liversay .61³/₁₀¢; to A. R. Anderson .61³/₁₀¢; and to J. H. Bundy \$1.25. See "Statement of Amounts for which all bonds are liable".

There are two judgments in favor of the Commonwealth which I have taken no notice of from the fact that the Auditor of Public Accounts has undertaken to settle with the solvent Securities, and has already compromised with six of them and given them a release from further liability. See Exhibit "A" with this Report. So far as I can learn there are no unpaid demands.

James Worley offered a claim of about \$500⁰⁰ which he claims was paid out for the benefit of Sager Securities. This I do not doubt. But I have had but little evidence of where it was paid - and what I have shows that it was paid upon liabilities in bonds in which he (James Worley) was not a security and upon matters for which he was in no way liable. I have therefore disallowed the claim. In Affidavit of H. J. Morgan & J. W. Orr Marked "B."

In all there has been paid for the said Sager Lati, Duff & Co the sum of \$5375.33 - ^{exclusive of the office Commission and the expenses of the suit} The costs of this suit is yet to be paid as a consequence of his failures. Of the entire amount paid A. R. Sargent has paid \$301952³/₄; Wm M. Donald \$156.05; John A. Moon \$146⁶⁸/₁₀₀; S. H. Linsay \$193⁴⁰/₁₀₀; James Worley \$82.40; S. S. Sargent \$267⁴¹/₁₀₀; G. B. Milbourn \$95.57; A. R. Anderson \$304.92; J. H. Bundy \$84¹⁰/₁₀₀; D. S. Dickinson \$173⁸⁰/₁₀₀ and P. H. Linsay \$89³⁹/₁₀₀

By an inspection of the latter part of the decree under which I am acting it will be seen that I am required to ascertain and report in what proportions

the sureties of said Sage in his official
bonds shall share in the recovery made
against him in this suit. Said recovery
is indefinite as to amount being in
the first place a certain sum to wit \$775-
for which said Sage executed his note
with good security in second place the
recovery is a transfer or assignment of
a recovery, or judgment,
which said Sage made against J. S.
Dickensons sum and it is not certain
in fact cannot now be ascertained
what sum will be yet realized on said
judgment. But I am of opinion that
said sureties should share in said fund
in proportion to the amounts paid by
them and which they will be compelled
hereafter to pay in said liabilities of said
Sage on account of their solvency as
herein reported.

All of which is

Respectfully Submitted.

Wm A. Orr

Special Commissioner

Commenced \$75-00

P.S. Since writing the above report I am
informed by Mr. A. R. Senger & Son

A. R. Surgenor

is } Comr. Orr's Report No 1

Wm W. Sage Shiff et als

Filed March 15th 1882

J. A. Hyatt
Clerk

Commissioners fee \$75-

A. R. Surgenor Plaintiff
against } In Chancery
Wm W. Sage Sheriff &c et als Defendants

Your undersigned Special Commissioner in this cause begs leave to Report, That after giving written notice at the front door of the Court house of Lee County of the time and place — and hard begging in person, he has been enabled to investigate and settle these complicated matters the best he could. He can not assure your Honor, that he has settled right, for in truth that would be hard to do.

This matter of account was referred to me by a decree dated June 13th 1881, and resubmitted to me by your Honor September 8th 1882 for further investigation and settlement.

As stated in my former Report, Wm W. Sage while Sheriff and tax collector of Lee County, executed six Official Bonds. His first bond bears date April 20th 1869, executed by himself, Wm R. Graham, Wm M. Donald, H. B. Barker, Andrew J. Bailey, Joseph Law and Daniel L. Dickenson. They paid for him \$156.55, and this amount was paid by Wm M. Donald. None of Mr. M. Donalds

co-securities are solvent. But it will be seen by calculation that he should have a decree against each one of them for the sum of (\$26.01) twenty six dollars and one cent. with interest thereon from June 13th 1881. For items and evidences see "Statement of Bond No. 1" filed with my former reports.

2

The second bond ~~was~~ dated November 18th 1869, and is executed by said Sage, W. R. Graham, A. R. Surgenor, Raymond Lambert, John W. Bailey, Hiram H. Brasier, Lewis Smith, S. H. Liveray, John A. Moore, Wm. P. Miller, Randolph Nae and Jonathan Sattors. They have paid for said Sage (Shff 74) One hundred and eighty two dollars and thirty two cents. Of this amount John A. Moore has paid the sum of \$146⁶⁸, and S. H. Liveray has paid \$35⁶⁴. In this bond there are but four solvent men, to wit: A. R. Surgenor, S. H. Liveray, John A. Moore and Wm. P. Miller, and to equalize them, John A. Moore must account from S. H. Liveray \$8.94; from A. R. Surgenor \$45⁵⁸ and from Wm. P. Miller \$45⁵⁸. For items and evidences see "Statement of Bond No. 2" filed with my former reports. I find nothing against Bond No. 3.

The insolvent securities in this Bond No 2 are Wm R. Graham, Waymond Lambert, John W. Bailey, Hiram H. Brasier, Lewis Smith, Randolph Lee and Jonathan Dalton - and I ascertain that John A. Moore should receive from each of them the sum of \$4.28 $\frac{1}{2}$; and they must each pay to S. H. Livesay \$1.28; and they should each pay to A. R. Surgen \$4.14 $\frac{2}{7}$; and they should each pay to Wm P. Miller the sum of \$4.14 $\frac{2}{7}$.

I find nothing against Bond No. 3. alone and pass it for the present.

The fourth bond bears date March 21st 1878; and was executed by said Sage, and James Worley, Charles M. Hill, John W. Bailey, W. R. Graham, A. R. Surgen, Wm P. Miller, Jonathan Dalton, Dickenson Goble, S. H. Livesay, A. J. Bailey, Waymond Lambert, C. C. Bell, John M. Audis, William & W. Livesay. On this bond has been paid for said defaulting Sheriff \$466.01. Of this amount S. H. Livesay has paid \$91.05; Jonathan Dalton \$227.00, A. R. Surgen \$123.38 and C. M. Hill \$24.66. In this bond are ^{seven} ~~say~~ solvent securities to-wit: Charles M. Hill, A. R. Surgen, Wm P. Miller

Dickenson Gobble, S. H. Liversay and John W. Audis. To equalize these ~~debits~~ must, C. W. Mill must pay to S. H. Liversay $\$24.48$ and he must pay to A. R. Surgenor $\$37.63$. Wm. P. Miller must pay to A. R. Surgenor $\$39.30$ and he must pay to Jonathan Dalton $\$27.27$. And Dickenson Gobble must pay to Jonathan Dalton $\$66.57$, and John W. Audis must pay to Jonathan Dalton $\$66.57$. The insolvent securities in said hands to wit: James Worley, John W. Bailey, Wm. R. Graham, A. J. Bailey, Waymond Lambert, L. L. Bell and Wm. L. Liversay, should each pay $\$33.28\frac{1}{4}$.

The fifth bond bears date May 19th 1878 and is executed by said Surge, and John S. Sims, A. R. Anderson, James Worley, John Milbourn, S. S. Surgenor, George B. Milbourn, John W. Bailey, James F. Jones, Wm. P. Miller, A. R. Surgenor and David S. Dickenson.

On this bond has been paid $\$2515.72$. Of this sum A. R. Surgenor has paid $\$1859.81$, James Worley has paid $\$98.68$, S. S. Surgenor has paid $\$150.59$, George B. Milbourn has paid $\$95.57$, and A. R. Anderson has paid $\$319.07$. The said George B. Milbourn and James Worley being now insolvent where

we deduct the amount paid by them \$184.25 from the total liability, we have \$2329.47 as the balance to be borne by four solvent securities, to wit: A.R. Anderson, S. S. Surgen, Wm. P. Miller and A.R. Surgen. To equalize them, A.R. Anderson must pay to A.R. Surgen \$263.38, S. S. Surgen must pay to A.R. Surgen \$431.78, and Wm. P. Miller must pay to A.R. Surgen \$582.36.

The insolvent securities in this bond are John S. Sims, James Worley, John Milbourn, George B. Milbourn, John W. Bailey, James F. Jones and Daniel S. Sickensohn, and they should each pay \$228.70²/₁₁, except the said James Worley who should only pay \$138.02²/₁₁, and the said George B. Milbourn who should only pay \$133.18²/₁₁. "See Statement of 5th Bond."

The sixth and last bond is dated January 18th 1871 and is executed by said awfully defaulting Sheriff, Wm. W. Sage, and John Milbourn, A. J. Bailey, Wm. P. Miller, S. H. Linsay, Wm. W. Linsay, A. R. Surgen, Daniel S. Sickensohn, S. S. Surgen, J. H. Bundy, J. M. Whitehead, John W. Bailey, A. M. Ely, P. H. Linsay, Alexander Wynn and Jonathan Dalton.

The liability on this bond is \$2227.59. Of this amount P. H. Linsay has paid \$123.19, A. R. Surgenor \$879.55 $\frac{1}{3}$, J. N. Bundy \$808.48, S. S. Surgenor \$149.85, S. H. Linsay \$92.71, and D. S. Dickinson \$173.80. The said D. S. Dickinson being now insolvent, deduct the amount paid by him \$173.80, we have a balance to be divided between six solvent securities of \$2053.79. These solvent securities are, Wm. P. Miller, S. H. Linsay, A. R. Surgenor, S. S. Surgenor, Joseph N. Bundy and P. H. Linsay. To equalize them, Wm. P. Miller must pay to Joseph N. Bundy \$342.30, P. H. Linsay must pay to Joseph N. Bundy \$123.90, and he must pay to A. R. Surgenor \$95.21, S. H. Linsay must pay to A. R. Surgenor \$249.89, and S. S. Surgenor must pay to A. R. Surgenor \$192.45. The insolvent securities "except D. S. Dickinson who has paid \$173.80" to wit John Milbourn, A. J. Bailey, Wm. W. Linsay, J. M. Whitehead, John W. Bailey, A. M. Ely, Alexander Ceyn, Jonathan Ballou - should each pay \$148.50 $\frac{3}{8}$.

"In Statement of Bond 6."

There are liabilities against ~~apostles~~ 4, 5, & 6 jointly as stated in my former report - I now find nothing additional on this account in this cause. The liability is \$231.83.

Of this sum A. R. Surgeon paid \$81.53, S. S. Surgeon paid \$77.66, And A. R. Anderson paid \$72.64. By these bonds ^{the three alone and} there are but ~~three~~ solvent ones to wit: L. M. Hill, Wm. R. Miller, S. S. Sickinson Hobbs, S. H. Linsay, J. W. Audia, ^{Jonathan Dalton} and J. H. Bundy, and ^{the last seven} they should each pay to A. R. Surgeon ~~\$7.77 1/2~~ ^{\$8.33 1/2}, and they should each pay to S. S. Surgeon ~~\$6.98 1/2~~ ^{\$7.78 1/2}, and they should each pay to A. R. Anderson ~~\$6.67 1/2~~ ^{\$7.06 1/2}.

By these bonds there are 16 insolvent ones and they should each pay \$8.91 1/2 they are James Worley, John W. Bailey, Wm. R. Graham, A. J. Bailey, Weymond Lambert, C. C. Bell, Wm. W. Leacy, John J. Sims, John Milbourn, G. B. Milbourn, James F. Jones, S. S. Sickinson, J. W. Whithead, A. W. Ely, A. L. Coym and R. H. Linsay.

There are liabilities against all the bonds jointly amounting to \$666.50 Of this sum J. F. Jones (now insolvent) paid \$3.35, A. R. Surgeon paid \$411.63, S. H. Linsay \$78.30, A. R. Anderson \$68.80

P. H. Liveray \$37.25, Jas H. Bundy \$37.62,
 S. S. Surgeon \$19.55, Dickenson Gobble \$5-
 C. M. Hill \$5. There are 13 solvent sureties
 in all the bonds, to wit: Wm McDonald,
 A. R. Surgeon, S. H. Liveray, John A.
 Moore, Wm P. Miller, C. M. Hill
 Dickenson Gobble, John M. Andis,
 Jonathan Dalton, A. R. Anderson
 S. S. Surgeon, Joseph H. Bundy and
 P. H. Liveray. And to equalize them as to
 the sum of six hundred and sixty three dollars
 15¢, the balance after deducting what James
 F. Jones paid, P. H. Liveray should pay to
 S. H. Liveray \$13.76; Joseph H. Bundy
 should pay to S. H. Liveray \$13.39 and
 S. S. Surgeon should pay to S. H. Liveray
 \$14.91. S. S. Surgeon should pay to
 A. R. Anderson \$17.79, and he should
 pay ^{to A. R. Surgeon} \$13.53. Dickenson Gobble must
 pay to A. R. Surgeon \$46.01. C. M. Hill
 must pay to A. R. Surgeon \$46.01.
 Jonathan Dalton must pay to A. R.
 Surgeon \$51.01. Wm McDonald must
 pay to A. R. Surgeon \$51.01. John A. Moore
 must pay to A. R. Surgeon \$51.01. John
 M. Andis must pay to A. R. Surgeon
 \$51.01, and Wm P. Miller must pay to
 A. R. Surgeon \$51.01

In all bonds (except no. 3) there are twenty insolvent securities to-wit: Wm R. Graham, Edw Barker, R. J. Bailey, Joseph Lowe, S. S. Lickerson, Weymond Lambert, Jos. W. Bailey, H. H. Brasier, Lewis Smith, Remondph Mac, L. C. Bell, James Worley, Wm W. Livesay, Jos. D. Sims, John Milbourn, George B. Milbourn, James F. Jones, Jos. W. Whitehead, A. M. Ely and Alex. Wynn, they should each pay \$17.09. In Statement on former Report of liabilities on all the bonds.

I have prepared and filed herewith a condensed Statement Marked "X" showing the amount each solvent security should recover against his Co - solvent securities in each and all bonds, and which said recoveries should bear interest from June 13th 1881.

It will be seen by reference to the preceding part of this report that I have ascertained and show the liability of each insolvent security arising upon each and all bonds making them liable in each instance for an equal share with their Co - securities. This I thought should

be done so that a receiver might
 be appointed and vested with the
 power to sue and executions
 against said ~~old~~ insolvent
 securities should they or any one
 of them hereafter become solvent.
 And should anything be thus
 hereafter collected, it would constitute
 a fund in the hands of the receiver
 to be by him paid over to the
 solvent securities in each instance
 who have paid or are bound to
 pay the liability arising therein.

Respectfully Submitted

Wm. F. Orr.

Nov. 28th 1882.

Special Counsel.

A. R. Dungen
vs } Court Orr's 2nd Report.
Wm W Sage et als.

Filed Nov 28th 1882.

J. A. Hyatt
Clerk

Court fee \$20.00

as securities of said Sage, and in arriving at this result, I have let some atty's fees paid by certain securities, be a charge against the securities generally, except those excepting to the action of said former Comr. who seem to have had no interest therein, and I have disallowed the \$25.⁰⁰ paid by B. H. Leacy to R. A. Ayers, as it seemed to be for his own benefit, and I have made all the solvent securities contribute to the costs of this suit, I have also corrected the matter in regard to what sum Jonathan Dalton had paid. The said paper "O" shows the result,

Respectfully submitted.

James W Orr. Comr.
Sept 7th 1883.

A. R. Surgenor
vs { Comr J. W. Orr's Report
Am W Sage et als.

Filed Sept 4th 1883.

J. Als Hyatt
, , , CLK

Comr's fee \$5.00

Statement of amounts that the solvent securities
of Wm W Sage late Sheriff of Lee County should
recover from each other, as of June 1887.

A. R. Senger should recover as fol-
lows, to wit.

From Wm P Miller, to 4 \$50.78, to 5 \$582.36 to 4.5 + 6 \$8.33 1/2	641.47
+ on all bonds \$54.21	54.21
	\$695.68
From C. M. Hill, all bonds	49.21
" A. R. Anderson, to 5-	263.30
" S. S. Senger, to 5 \$431.78, to 6 \$192.45, all \$34.66	658.89
" P. H. Leracy, to 6 \$75.21, all \$16.96	112.17
" S. H. Leracy, to 6 \$249.59, to 4.5 + 6 \$8.33	257.92
" Dickinson Goble, to 4.5 + 6 \$8.33, all \$49.21	57.54
" J. M. Andis to 4.5 + 6 \$8.33 all \$54.21 to 4 \$21.74	84.28
" Jonathan Dalton, to 4.5 + 6 \$8.33, all \$15.44	23.77
" Joseph H Bundy to 4.5 + 6.	8.33
" Geo A Moore, all bonds.	8.63
" Wm McDonald " "	12.70
	\$2232.42

John A Moore should recover as of same
date.
From S. H. Leracy, on to 2.

" William P Miller, to 2.	9.94
	45.58
	\$55.52

S. H. Leracy should recover as of same date.		
From.	John M Andis, to 4,	15.27
"	Jonathan Dalton, all bonds	24.09
		39.36

Jonathan Dalton, should recover, same date,		
From.	C. M. Hill, on No 4.	26.12
"	Dickinson Gahle, to 4.	50.78
"	J. M. Andis to 4	13.80
		90.70

Joseph H Bundy, should recover, same date		
From	Wm P Miller, to 6,	342.30
"	P. H. Leracy to 6.	123.90
		466.20

S. S. Surgenor, should recover, same date		
From,	C. M. Hill, nos 4, 5 + 6	7.78
"	Wm P Miller " " " "	7.78
"	Dickinson Gahle " " " "	7.78
"	S. H. Leracy " " " "	7.78
"	John M Andis " " " "	7.78
"	Jonathan Dalton " " " "	7.78
"	Joseph H Bundy " " " "	7.78
		54.46

A. R. Anderson must ^{repay} ~~pay~~ same date.

From - C. M. Hill,	Vol 4. 5. + 6.	7.06
" Wm P Miller	" 4. 5. + 6.	7.06
" Dickinson Goble	" "	7.06
" S. H. Leracy	" "	7.06
" John M Audis	" "	7.06
" Jonathan Dutton	" " \$7.06, all \$14.59	21.65
" Joseph H Bundy	" "	7.06
		\$ 64.01

A. R. Burgerer.
Statement showing standing
of securities with each other
Am W Sage et als.

"O"

Commissaries Office Jacksonville Fla. March 22 1884.

A. R. Surgenor

Plff

vs.

Wm. H. Sage & others

Defts

In Chancery on Ex. Bill

To the Hon John A. Kelly Judge of the circuit
Court of Lee County Virginia

By a decree entered in this cause on the 5 day
of Sept. 1883 the undersigned were appointed commis-
saries and directed to state and adjust all the matters
of account involved in the cause, among the duties of
Wm. H. Sage in his several lands as Sheriff and tax collector
for Lee County mentioned and referred to in the Ex. Bill.

Gave Comrs Sage leave to say that they have attempted
to discharge the duties thus assigned them, in the
manner shown in the several statements of those matters,
hereafter made exhibits with this report.

Our object has been to so prepare each statement as
to show upon its face the manner of arriving at the
results reached in each case without referring in
detail to those matters in this report.

In the first place we have stated the account of
the plaintiff as receiver in this cause and herewith
file the same as a part of this report marked (A & B)

In this statement we charged him with the sums paid
for him to account for as we thought amounting to \$1094.40
we then gave him credit for the costs of this suit of \$330.88

which left \$763.52 to be applied to the relief of the securities in the several bonds according to the liabilities falling on each bond, or resting on two or more bonds jointly. And of said last named sum was transferred to the relief of bond No. 1 \$17.94. to bond No. 2 \$20.96. to bond No. 4 \$35.20. to bond No. 5 \$364.00 to bond No. 6 \$256.05 to Bonds No. 4 & 5 \$27.20 and to bonds No. 4, 5 & 6. \$42.17 and this squares up the receivers account, and these sums are disposed of in the statement of the matters resting on said bonds separately and jointly as will be seen by reference to the statement relating to each. We find no liability falling on bond No. 3 and hence not mentioned in the list above.

In the second place we stated the account growing out of the liabilities which fell on bond No. 1 as between Mr. McDonald and his co-bondsmen and herewith file the same marked (A B D)

In the third place we stated the account growing out of the liabilities which fell on bond No. 2 among the securities therein and file herewith the same marked A B E.

In the fourth place, we stated the account growing out of the liabilities which fell on bond No. 4 among the securities therein and herewith file the same marked (A B F)

In the fifth place we stated the account growing out of the liabilities incurred and paid on bond No. 5 among the securities therein and herewith file the same marked (A B G)

In the sixth place we stated the matters of account growing out of liabilities and sums paid by securities in bond No 6 among the parties therein interested and hereunder file the same marked (A B H)

In the seventh place we stated an account of liabilities which we thought should fall on the securities jointly in bonds No 4 and 5 among them, and hereunder file the same marked (A B I)

In the eighth place we thought there were some liabilities and costs which had been incurred which ought to fall on bonds No 4 5 and 6 jointly and of such we prepared a further statement and hereunder file the same marked (A B J)

Based on these several statements of the matters we then prepared an additional ^{statement} showing the final sums recoverable by the several parties against the several parties therein named and hereunder file the same marked (A B K)

This statement summarizes down and shows at a glance all the sums and all the persons who are entitled to recover according to the foregoing several statements.

And tenth and last. We ascertained as we went along through said several statements the aggregate sum which by our estimate of the matters fell upon bond No 1 No 2. No 4, No 5 No 6. and upon bonds 4+5 jointly and upon bonds 4, 5+6 jointly; we then divided the sum so ascertained among all the securities in each of said bonds whether solvent or not. and in this way ascertained what each party ought to pay.

and as we finally adjusted the liabilities among the solvent
parties in each bond, and each set of bonds, we thought
proper to prepare a further statement showing how much
each of the insolvent parties in each bond & set of bonds
ought to pay to make their equal part, and we accordingly
prepared such a statement and herewith file the same
marked (A.B.L.) And we suggest that C.I. Duncan
be appointed a receiver and directed to collect from said
insolvents the sums owing by them respectively as shown
in the several tables on said paper (A.B.L.) and that he pay
out such sums as he may collect in the manner therein
indicated

Respectfully Submitted

James W Orr. } Commrs.
Henry J Morgan }

A. R. Sengaman

vs. { Commis - Orr & Morgan Refers.

W. W. Sage & others.

Filed March 1884

J. A. Hyatt
clerk

1884 March record final

Commis Orr \$25.00

Know all men by these presents, That we, Wm Sage,
and William C. Graham, William McDonald, Benjamin W.
Barker, Andrew J. Bailey, Joseph Low and Daniel S. Dick-
enson are sold and firmly bound unto the Commonwealth
of Virginia, in the sum of Thirty Five Thousand Dollars, for the
payment thereof well and truly to be made, to the Common-
wealth, we bind our selves jointly, and severally, firmly
by these presents. Witness our hands and seals, this 20th
day of April 1869.

The condition of the above obligation is such that
Whereas by a commission bearing date February the 2nd,
1869, the above bound Wm Sage was appointed Sheriff of
the County of Lee and State of Virginia, to fill the vacancy
occasioned by the expiration of the term of service of James
H. Orr, said Commission having been issued under
the authority of Brecht Major General George Stannan
commanding the District of Virginia, by which said Sage
is directed to perform all the duties of said office according
to law, until his successor shall be duly elected or appoint-
ed and qualified. Now, if the said William W. Sage shall
well and faithfully all the duties pertaining to the office
of Sheriff aforesaid, according to law, then this obliga-
tion to be void, otherwise to remain in full force and
virtue.

signed W. B. Barker Seal
" Andrew J. Bailey Seal
" Joseph Low Seal
" Daniel S. Dickenson Seal

(Signed)
William W. Sage Seal
W. C. Graham Seal
Wm McDonald Seal

Virginia.

At a county court continued and held for Lee county at the Court
House thereof on Tuesday the 20th day of April 1869.

Wm W. Sage, who was on the 22nd day of February 1869
appointed by Brigadier Major General George Stannard, lately
commanding the the District of Virginia, Sheriff of
the county of Lee, and who was empowered and direct-
ed to perform all the duties of his office until his succe-
sor shall be duly elected or appointed and qualified, this
day appeared in court, and together with William R. Bra-
ham, William McDonald, Benjamin M. Barker, Andrew
J. Bailey, Joseph Lowe, and Daniel S. Dickerson, his secu-
rities, entered into and acknowledged, a bond in the
penalty of \$55,000.00 conditioned according to law, which
bond is duly stamped. And thereupon the said Sage took
the oath of Fidelity to the Commonwealth, the oath
prescribed by act of Congress passed July 2nd, 1862, the
oath against duelling, and the oath of office. And the
clerk of this court is ordered to record said bond,
and is also directed to transmit a copy thereof to the
Auditor of Public Accounts together with this order.

A copy.
Teste John C. Orr, D.C.

A. R. Surgeon.
vs { Copy of Bond No 1
Wm W. Sage Sheriff. et al

"No 1"

Sabred-Surplus: None
but Wm McDonald.

Jan 4 9

Voucher
116
~~1875~~
July 19th
Wm M. Gould

on a fi. fa. issued from the Circuit

W. M. Ferguson for H. T. Ferguson

116 with M Donalds Answer)

2380

117

842.

1875

Oct 19th

To Same for amount paid on a

3222

Same

fi. fa. in favor of T. W. Carter

admir VC for VC vs Saml

parties (See Voucher 117 with Ans.)

9188

20. *sub. au. Tama*

3203

Vaucher

129

12383

Feb. 1872

Joe Worley

Total amount paid on Bond No. 1

~~8~~15605

Statement of Bond.
No 1

7

Report No 1

\$156.⁰⁵

Know all men by these presents, That we Wm W. Sage, William C. Graham, A. R. Surquar, Raymond Lambert, John W. Bailey, Hiram H. Brasier, Lewis Smith, Jonathan Dalton, S. H. Levasy, John A. Moore, William B. Miller and Randolph Kae, of Lee County, are held and firmly bound unto the Commonwealth of Virginia, in the sum of thirty five thousand dollars, for the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves jointly and severally, firmly by these presents. Witness our hands and seals this 18th day of November 1869.

The condition of the above obligation is such that whereas the above bound Wm W. Sage was on the 22nd day of February 1869, commissioned by Breve Major General George Stannan, then commanding the Military District of Virginia, as sheriff of said county and State (to fill the vacancy occasioned by the expiration of the term of service of James W. Orr as such Sheriff) and directed to perform all the duties of said office according to law, until his successor shall be duly elected or appointed and qualified. Now if the above bound William W. Sage shall well and faithfully perform and discharge all the duties pertaining to the office of Sheriff aforesaid according to law, then this obligation to be said, ather to remain in full force and virtue.

Lewis Smith	(Seal)	William W. Sage	(Seal)
S. H. Levasy	(Seal)	W. C. Graham	(Seal)
John A. Moore	(Seal)	A. R. Surquar	(Seal)
Wm B. Miller	(Seal)	Raymond ^{this} Lambert	(Seal)
Randolph Kae	(Seal)	John W. Bailey	(Seal)
Jonathan Dalton	(Seal)	Hiram H. Brasier	(Seal)
A copy. Teste.		John C. Orr, D.C.	

A. R. Slinger
vs Copy of Band No. 2.
W. W. Sago, Sheriff et al.

No 2

Submits:
A. R. Slinger
D. H. Loring
J. A. Moore
Wm. P. Miller

Fee 40¢

Statement of amounts paid by the Securities
of Wm W Sage late Sheriff of Lee County, Va. ^{and by whom paid}
in his Official bond No. 2 dated Nov. 18th 1869.

1874

May 2nd Surtis in said bond to S. H.

Linsay for amount paid on a
judgment rendered by the County
Court of Lee County, Va. on the

S. H. Linsay

day of 18, in favor of

Wm R. Graham who sued for the
benefit of W. W. Keller vs said Sage
Shiff & Lewis Smith, A. R.

Surgeon, H. H. Brasher, S. H.

Linsay, John A. Moore, Wm P.

Miller, R. L. Hamblin, Adm. of
Randolph Tac, deceased, Jonathan
Dalton and John W. Bailey part of

surtis in said bond upon which
judgment affi. fa. issued (See Vou-

cher 101)

15.00

To interest thereon from May 2nd 1874

6.40

To amt. paid on same

10.00

" int. thereon from May 17th 1874

4.24

And June 13th 1881

35.64

Total on this page

35.64

Voucher
101-2

1874

May 17

		Dr	Cr
		\$	\$
	Amount forward		<u>\$35.64</u>
1874	To John A. Moore for amount		
May 18"	paid on the matter described on		
J. A. Moore	the foregoing page		49.00
	To int. on same from said date	20.58	
1874	" amount paid on same		55.00
May 17"	" interest on same	22.10	
	Auth June 13 th 1881	42.68	104.00
	(See Voucher 101 & Recpt. filed with Moore's Acc.)		<u>\$146.68</u>
	Total amount paid on Bond No. 2		<u>\$182.32</u>

Statement of Bond
No. 2.

Report-No 1

Statements for 2 Reports of Amounts paid
by Securities of Wm W. Sage late Shff. Lr
Co. in Bond No. 4 \$ C & C.

1887

Voucher

"A"

S. H. Liversay

To amt paid by S. H. Liversay to
Hagan & Pridemore attys
for Auditor Pub. Accts of Va 50 00

Lutb.

16 05-

66 05-

Voucher

"B"

S. H. Liversay

To amt paid by same to
R. A. Ayers atty for services
rendered for these Securities

25 00

1879

Mch. 12

Voucher

C

Jonathan
Ballou

To Jonathan Ballou for amt.
paid to Wm F. Taylor late Aud.
Pub. Accts, Va

200 00

Lutb

27 00

amt.

227 00

1877

Sept. 3rd

Voucher

D

A. R. Surgen

To A. R. Surgen for amount
paid Hagan & Pridemore
attys for auditor Pub. Accts
on a judgment in favor of
the Commonwealth

100 00

Lutb. on same

23 30

amt. June 13th 1881

123 30

1877

Sept. 3rd

Voucher

C

C. M. Hill

To C. M. Hill for amt. paid same
attys on same account

20

Lutb.

4 64

amt.

24 94

"over"

Totals

Am't. Paid by S. H. Liveray	\$91.05
" " " Jonathan Ballou	229.00
" " " A. R. Surgeur	123.30
" " " C. M. Kilb.	24.66
Total liability on Bond No 4	\$466.01

6 Solvent Sureties - 8 Insolvent.

Note.— No liability was ascertained against Sureties in bond No 4 in the first account "alone"

Statement of Bond 4

2nd Report

Know all men by these presents, That our William
W. Sage, John D. Sims, Aaron R. Anderson, James Warley,
John Milhaum, Stephen S. Surgeon, George B. Hillman
John W. Bailey, James F. Jones, William P. Miller, Abraham
R. Surgeon, and Daniel S. Dickenson, are sold and
firmly bound unto the Commonwealth of Virgin-
ia, in the sum of thirty thousand dollars, for the true
payment thereof well and truly to be made, to the said
Commonwealth, our heirs and assigns jointly and sev-
erally firmly by these presents, Witness our hands
and seals this 19th, day of May 1870.

The condition of the above obligation is such that
whereas the above named William W. Sage was by
Henry J. Morgan Judge of the county court of Lee County
this day appointed Sheriff of the County of Lee to serve
as such until his successor shall be duly elected and
qualified, Now if the said William W. Sage shall well
and faithfully perform and discharge the duties of
his office aforesaid, according to law, then this obli-
gation to be void, otherwise to remain in full force
and virtue.

William W. Sage Seal
John D. Sims Seal
A. R. Anderson Seal
James Warley Seal
John Milhaum Seal
S. S. Surgeon Seal

George B. Milhaum Seal
John W. Bailey Seal
Jas F. Jones Seal
William P. Miller Seal
A. R. Surgeon Seal
Daniel S. Dickenson Seal

A copy.

Teste John C. Orr, D.C.

A. R. Surgeon

35 } Copy of Band No. 5

W. W. Sage Sheriff. et al

No 5

Debit:

A. R. Anderson

Jas Coonley

S. S. Surgeon

W. P. Miller

A. R. Surgeon

Fin 40 4

Statement of amounts paid by the Sureties
 of Wm. H. Sage late Sheriff of Lee County Va.
 in his official bond No. 5 dated May 19th 1870.
 & by whom paid

1874

Mar. 23rd

Voucher

(103)

A. R. Anderson

Sureties in said bond to A. R. Anderson for amount paid on a judgment rendered by the County Court of Lee County, Va. on the day of 18- for \$72¹⁰ with interest from Oct. 21st 1873 till paid and \$9²⁹ in favor of James R. Neal for W. H. Graham vs. Wm. H. Sage Sheriff &c and J. D. Sims, A. R. Surgeon, A. R. Anderson, James Worley, S. S. Surgeon, and Wm. P. Miller, part of Sureties in bond No 5 upon which judgment a fi. fa. issued & is a voucher (103)

25 00

To interest thereon 10 82

1874

May 16

" amount paid are same 62 43

" interest thereon 26 53

And June 13th 1881 124 38

1872 +

Dec 10

Voucher

To Geo. B. Milbourn for amount paid upon a fi. fa. See voucher

112

63 77

112

Interest to June 13th 1881

31 82

95 57

1874
Nov 23⁺
Voucher
108

To A. R. Anderson for amount
paid upon a fi. fa. issued
from the County Court of Lee
County and made returnable to
April Rules 1874, for \$59.53 with
interest from Oct. 21st 1873, till
paid & \$8.22 Costs (See fi. fa. filed here)

25 00

To interest thereon

10 82

Amount July 13th 1881

35 82

1874
Nov 16⁺
Voucher
109

To James Worley for amount paid
on a fi. fa. issued from the
County Court of Lee County (See fi. fa.
here filed Voucher 109)

58 16

To interest on same

24 24

Amount June 13th 1881

82 40

Voucher
102
1881
Jan 7th

To A. R. Surgeon for amounts paid by
him on a fi. fa. issued from the
Circuit Court of Lee County here filed
as Voucher 102

100 00

To Sub on same

2 50

Feb 19⁺ To amt. paid

249 50

To Sub on same

4 99

			\$
Feb. 28 th	+	To amt. paid	1434 34
	+	To Interest on same	70
	+	Amount June 13 th 1881	372.03
	+	To A.R. Surgeon for amounts paid on	
	+	a fi. fa. in favor of Council for 78	
	+	vs Wm. D. Sage, Jmd. D. Sims, A.R.	
A.R. Surgeon	+	Anderson, James Woodley, Geo. B.	
	+	Wilbourn, S. S. Surgeon, Jmd. W.	
	+	Bailey, James F. Jones, Wm. Miller	
	+	& A.R. Surgeon filed here as	
Voucher	-	113 - 114 & 115	20.00
1878	+	To int. on same	3.04
Dec. 1 st	+	To amt. paid	8.00
" "	+	To int. on same	12.16
Voucher	-	114	
1878	+	To amt. paid	100.00
Dec. 2 nd	+	To int. on same	15.20
Voucher	-	115	
1881	+	To amt. paid to S. S. Surgeon Atty	507.83
Jan 7 th	+	To A.R. Anderson for amt. paid on	738.23
1879	+	same fi. fa.	35.00
Feb. 13 th	+	To int. on same	4.90
A.R. Anderson	+	To amount paid on same by	39.90
1879	+	S. S. Surgeon	35.00
Feb. 13 th	+	To int. on same	4.90
S. S. Surgeon	+	Amount	37.90

		\$	C	S	C
		Int			Prin
June 15 th 1870	To A.R. Surgen for amounts paid				
A.R. Surgen	Andrew Milbourn, O.C. Bolin,				
Voucher	+ and A. Wynn				129 75
126					
	+ To interest on same	85	60		
	+ Amount June 13 th 1881				215 35

Apr. 2 nd 1878	To A.R. Surgen for amount paid				
A.R. Surgen	Hagan & Tidmore attys on a forth				
Voucher	+ coming bond vs Sage & Securities in favor				
127	+ of Marion J. Remington et al in				
	+ Circuit Court of Lin County				142 75
	+ To interest on same	27	22		
	+ Amount June 13 th 1881				169 97

1877 Apr 2 nd	To A.R. Surgen for amounts paid				
A.R. Surgen	Wm H. Burns and M. B. D. Lane				
Voucher	+ attys for services which were for				
128	+ the use of the Said Shff. and				
	+ Securities.				55 00
	+ To int. on same	16	50		
	Amount				71 50

Feb & Mch 1882	To A.R. Surgen for amounts paid on				
A.R. Surgen	a fi. fa vs Sage & Securities in favor of				
Voucher	+ Com B. Dickinson				600 00
129 & 130					
Voucher	+ To same for amt. of fee bill paid J.W. Orr Clerk				14 10
132					

Statement of
Bond No. 5-

Report No. 1

~~2277.78~~

Statement for² Report of amounts paid by
 securities of Wm. W. Sage late Shff Lee Co. in
 his Bond No. # 5 - five

1877
 Aug 29
 Voucher
 "A"

S. S. Surgeon

To S. S. Surgeon
 for ~~one~~ half of \$50.00 paid Wm.
 Hagan & Pridemore attys for
 The Commonwealth (for adv.
 & in statement of Bond No. #
 To Interest on same

50	16 05
25 00	
	16 05
	8 2 1/2

Amount June 13th 1881

1877
 Aug. 29

Voucher
 "A"

A. R. Anderson

To A. R. Anderson for amount
 paid on same claim to
 the same attys & C
 Interest

50 00	16 05
-------	-------

Amount

1877
 Sept. 3

Voucher
 "F"

J. F. Jones

To J. F. Jones for amount paid
 Same attys on same claim
 Int.

50 00	11 45
-------	-------

1873
 Apr 5th

Voucher
 "G"

J. F. Jones

To James F. Jones for amount paid
 b. L. Hamblin S. L. C on a fi. fa
 in favor of J. R. Nailb for M. K.
 Graham
 Int.

	61 45
	71 92
	35 15

1881
 June 13

Voucher

H.
 A. R. Anderson

Bonds 5

To A. R. Anderson amt. paid and
 assumed to be paid ~~Col. Anderson~~ Judge
 H. of Y. S. Ely Adm. for & C in
 County Court Lee County

	107 07
	44 64

1881

June 13 To S. S. Surgeon for amount paid
Voucher on a judgment of J. S. Ely Adm
H. & for &c in the County Court of
S. S. Surgeon Lin County²

44 64

1877

May 21 + To A. R. Anderson for one half
Voucher of a 15% note executed to Morrison
A. R. Anderson and Sweeney for legal services
by himself and James Worley
Interest

7 50

1 78

+

amt.

8 28

1877

May 21 + To James Worley for one half
Voucher of the items myt above named
Interest

7 50

1 78

+

Amount

8 28

"Totals"

18 59 81

A. R. Surgeon has paid

18 59 81

James Worley " "

90 68

S. S. Surgeon " "

150 59

G. B. Milbourn " "

95 57

A. R. Anderson ~~has paid~~

319 07

Total liability

25 75 72

4 amount and 7 interest

Condensed statement of the liability of Wm Wm
Sagin (Shff) Securities in Bond No. 5,
 as is ascertained by this and the former
 account, and by whom paid

Amount of liability	25 7572	
A. R. Surgen has paid		185981
James Worley "		9068
S. S. Surgen "		18059
Geo. B. Milbourn "		9557
A. R. Anderson "		31907
	25 7572	25 7572

Statement Bond 5-

Bond Report-

Know all men by these presents, That we, William
W. Sage, John Williamson, William P. Miller, Saunders
H. Levasy, William W. Levasy, Abraham B. Surgeon, Dan-
iel S. Dieckman, Stephen S. Surgeon, Joseph Bundy,
Jonathan Dattoe, John M. Whithead, Andrew P. Bailey,
John W. Bailey, Andrew M. Ely, P. H. Levasy, and Alex-
ander Wynn, of Lee County are held and firmly bound
unto the Commonwealth of Virginia in the sum
of Fifty Thousand dollars, for the payment thereof well
and truly to be made to the said Commonwealth, we
bind ourselves jointly and severally firmly by these
presents, and we hereby waive the benefit of our
Statute Exemptions as to this bond. Witness our hands
and seals this 18th day of January 1871.

The condition of the above obligation are such, That
whereas the above bound William W. Sage, late Sheriff
of the county of Lee, whose term of office expired on the
31st day of December 1870, has been by the General As-
sembly of Virginia authorized and empowered
by an Act thereof approved January the 6th 1871 to
proceed with the collection of the State Revenue and
county levies which have been or may be assess-
ed for the year 1870 in like manner as the same
have heretofore been collected. The Judge of the county
court of said county having examined the bond heret-
ofore executed by the said Sage as such Sheriff, and
deem the same insufficient, and hath required
the execution of a new bond as required by the Act
as aforesaid. Now if the said William W. Sage shall
well and faithfully collect the state Taxes and county
levies which have been or may be assessed for
the year 1870, within the time prescribed by law

and shall well and truly pay into the State Treasury the said State Taxes, and shall also pay the said county levy to those entitled thereto, and within the term prescribed by law, and shall otherwise conform to all laws relating to the collection of the Public Revenue, and county levies, then this obligation to be void, otherwise to remain in full force.

Stephen S. Surgeon Seal

Joseph H. Bundy Seal

J. M. Whitehead Seal

John W. Bailey Seal

A. M. Oly Seal

A. H. Levesay Seal

Alexander ^{his} ~~Wynne~~ Seal

Jonathan Dutton Seal

A Copy.

William W. Sage Seal

John Milburn Seal

A. J. Bailey Seal

William P. Miller Seal

S. H. Levesay Seal

William W. Levesay Seal

A. R. Surgeon Seal

Daniel S. Dickerson Seal

Teste - John C. Orr, d. c.

Sealants:

Comptroller

S. H. Levesay

A. R. Surgeon

D. S. Dickerson

J. H. Bundy

10-6

W. W. Surgeon

or Copy of Bond to C.

W. W. Sage Sheriff et al

Jan 40 &
J. M. Dutton

Statement of Amounts paid by the Securities
of Wm. Sage late Sheriff of Lee County, Va, in
his Official bond No. 6 dated Jan. 18th 1881.

1876

July 7th

Voucher
100

J. H. Bundy

Securities in said bond to J. H.
Bundy for amount paid on a
decree rendered by the circuit Court
of Lee County on the day of 18
vs said Sage Sheriff and said
Bundy and A. R. Surgenor, A. J.
Bailey, S. H. Linsay, W. W. Linsay
S. S. Surgenor, J. M. Whithead, A. M.
Ely, P. H. Linsay, and Jonathan
Dalton, upon which decree a fi. fa.
issued (Voucher "100")

To interest thereon from said date to June 13th 1881

Amount June 13th 1881

16 00

4 65

20 65

1876

July 3rd

Voucher
100

A. R. Surgenor

Securities in said bond to A. R.
Surgenor for amount paid on the
decree just described

To interest thereon from July 3rd 1881

Amount June 13th 1881

8 48 1/3

2 52

11 00 1/3

1876

July 3rd

To S. S. Surgenor on same account

To interest thereon date of payment

Amount June 13th 1881

8 48 1/3

2 52

11 00 1/3

1876			
July 3"	To S. H. Liversay for amtk. paid on same		
<u>Voucher</u>	Matter described on foregoing page		848 1/3
<u>100</u>	To int. on same from July 3" 1886	252	
S. H. Liversay	Amount June 13th 1881		1100 1/3

1872			
Feb —	To Daniel S. Dickenson's estate for		
<u>Voucher</u>	amount paid on a judgment		
<u>104</u>	rendered by the County Court of Lee Cou-		
D. S. Dickenson	nty on the day of 18, for		
	\$70.22 & int. from June 6" 1871 till		
	paid in favor of Charles Dang-		
	hority Surve vs said Sage Duff		
	and A. R. Surgenor, Aly. Myers,		
	J. M. Bailey, Daniel S. Dickenson,		
	John Milbourn, A. M. Ely, J. M.		
	Whitehead, S. S. Surgenor, R. H. Liv-		
	ersay, W. W. Liversay, S. H. Liversay,		
	J. H. Bundy, Jonathan Dalton,		
	and Wm. P. Miller part of said		
	securities		2980
	To interest on same of said date	1680	
	Amount June 13th 1881		4660

1872			
Feb —	To A. R. Surgenor for amount paid		
<u>Voucher</u>	on same debt as judgment		2980
<u>104</u>	To interest on same	1680	

A. S. Surgenor

	Amount June 13 th 1881	Dr 9	46 40
1872	To Joseph Bundy for amount		
Feb -	paid on same judgment		29 80
Voucher	" interest on same	16 80	
104	Amount June 13 th 1881		46 60
J. H. Bundy			
1874	To Joseph H. Bundy for amount paid		
Dec. 4 th	upon a fi. fa. issued by the Clerk		
	of the County Court of Lee County,		
	upon an original judgment,		
	dated Dec. 22 nd 1877 and made		
Voucher	returnable to Sec. Rules 1877, in		
105	favor of J. M. Whitehead who was		
	for the use of Chas. Sangherty, Suro.		
	vs said Sage, Shuff. &c and Wm P.		
	Miller, S. H. Liveray, Wm W. Liveray,		
	John Milbourn, A. J. Bailey,		
	A. R. Surgenor, D. S. Dickinson,		
J. H. Bundy	S. S. Surgenor, J. H. Bundy,		
	J. M. Whitehead, J. M. Bailey,		
	P. H. Liveray, Alex. Wynn, and		
	Jonathan Dutton, part of		
	securities in said bond		150 00
	To interest thereon	40 65	
	Amount June 13 th 1881		190 65

1877

Dec 22

Voucher

106

A. R. Surgen

To A. R. Surgen for amount paid
upon a fi. fa. which issued from
the clerk's office of the County
Court of Lee County upon a
judgment rendered upon a
forthcoming bond against S. S.
Surgen, A. R. Surgen, S. H. Linsay
and Thomas W. Pherson. (This bond
was given upon the fi. fa.
last described on the foregoing
page 7

10 00

To interest on same 209

1878

Mr. 8th

To amount paid on same 50 00

" interest on same 9 80

1878

Jan 7th

" To amount paid on same 100 00

" interest on same 20 10

1878

Mr. 4

" To amount paid on same 327 00

" interest on same 69 32

1878

Mr. 4

Amount June 13th 1881 588 31

Voucher

106

S. H. Linsay.

To S. H. Linsay for amount
paid on same fi. fa.
" interest on same 14 21

Amount June 13th 1881 81 71

1881

Jan
A. R. Surgen

Voucher

131

To A. R. Surgen for amount of pre
bille paid W. Orr-Clute 1 64

		Dr		
			7	9
			\$	Int \$
1878	To amount paid on same fi. fa.			
Nov. 4th	by S.S. Surgen			67.50
Voucher	" interest on same	14	21	
186	Amount June 13th 1881			81.71
S.S. Surgen				
1878	To A.R. Surgen for amount paid			
Mar 4"	on same fi. fa.			192.00
Voucher	" interest on same	40	70	
186	Amount June 13th 1881			232.00
A. R. Surgen				
1873	To Joseph N. Bundy for amount			
Feb. 17	paid on a fi. fa. issued upon			
Voucher	a judgment in the County Court			
107	of Lin County for \$321 ⁹⁰ & interest			
J. H. Bundy	from July 4 th 1871, till paid,			
	Subject to a credit of \$21.25 Oct.			
	27 th 1871			367.37
	To interest on same	183	21	
	Amount June 13th 1881			550.58
1871	To D. S. Dickinson's Estate for amount			
July 14"	paid upon a fi. fa. issued from			
Voucher	the Clerk's office of the County Court			
No. 110	of Lin County, dated Aug. 30th 1872			
	for \$143.00 & int & \$6.38 costs			80.00
	over			

7th B. 6.

Dictator's
Est.

To interest on same
Amount June 13th 1881

Int	Dr.	Pr
47	20	
		127 20

1873
Mr. 17
Voucher
111

To S. S. Surgen for amount paid
on a fi. fa. issued on same jud-
gment & for \$6.96

38 13²

S. S. Surgen

Interest on same
Amount July 13th 1881

19	0 1/2	17 0 1/2
		57 14 1/2

Voucher
111
P. H. Linsay

To amount paid by P. H. Linsay on
same judgment and fi. fa
Interest

38 13²

19	0 1/2	
		57 14 1/2

1872
Dec 10
Voucher
112

To G. B. Milbourn for amount paid
upon a fi. fa. issued from the
County Court of Lin

Statement of Bond
No 6.

Report No 1

\$2141⁵⁵-

1877

Aug 29
Voucher
"A"

P. H. Linsay

Statement for 2nd Report of amount paid
by Securities of Wm W. Sage, Late Shff. Lr C
in his Bond No. ~~4~~ four Six \$ 4 \$ C

To P. H. Linsay amount paid

Hogson & Pridemore attys for

Auditor Pub. Accts of Va

50 00

Int on same

16 05-

Acct. June 13th 1881

66 05-

"Totals"

P. H. Linsay paid this bond

123 19

A. R. Surgeon " " " "

879 53 1/2

J. H. Bundy " " " "

808 48

S. S. Surgeon " " " "

149 85-

S. H. Linsay " " " "

92 71

D. S. Dickenson " " " "

173 80

Total Liability No 6

2227 59

5 Solant & 8 insolant Securities

condensed statement of the liability of of Wm W.

Sage's (Shff) Securities in bond No. 6 as is

ascertained by this and the former account,

and by whom paid;

\$ \$

Amount of liability

2227 59

P. H. Linsay paid

123 19

A. R. Surgeon "

879 55-

J. H. Bundy "

808 48

S. S. Surgeon "

149 85-

S. H. Linsay

92 71

forward.

for ...
Auto forwarded
And paid by G. S. Dickenson

2227.59	2053.79
<u>1173.80</u>	
2227.59	2227.59

Statement of Bonds &
2nd Report

Know all men by these presents, That we, William W. Sage, A.R. Surgenor, John W. Bailey, Hiram Ely, C. C. Bell, C. C. Bell, James Worley, Russell J. Micham, Jonathan Dalton, Stephen S. Surgenor, and William R. Abraham, of Lee County are held and firmly bound unto the Commonwealth of Virginia in the sum of Thirty Six Thousand dollars, for the payment thereof well and truly to be made to the said Commonwealth, we bind ourselves severally and jointly firmly by these presents. Witness our hands and signatures this 24th day of December 1869.

The condition of the above obligation is such that whereas by a commission bearing date February 22nd 1869, the above bound William W. Sage was appointed Sheriff of the County of Lee, and State of Virginia, to fill the vacancy occasioned by the expiration of the term of service of James W. Orr, said commission having been issued under the authority of Breckinridge Major General Staunton, late commanding the District of Virginia, by which said Sage is directed to perform all the duties of said office according to law, until his successor shall be duly elected or appointed and qualified. Now if said Sage shall well and faithfully perform and discharge all the duties pertaining to the office of Sheriff aforesaid according to law, then this obligation to be void otherwise to remain in full force and virtue.

William W. Sage	(Seal)	James Worley	(Seal)
A.R. Surgenor	(Seal)	Russell J. Micham	(Seal)
John W. Bailey	(Seal)	Jonathan Dalton	(Seal)
Hiram Ely	(Seal)	Stephen S. Surgenor	(Seal)
C. C. Bell	(Seal)	W.R. Abraham	(Seal)

A copy. Teste John C. Orr, D.C.

A.R. Surgeon.

vs } Copy Band No. 3.

W. W. Sage Shiff et als

No 3

Fee 40¢

Statement of amounts paid by certain
 securities of Wm. W. Sage, Shuff & Co which
 was for the benefit of all the securities
 in the several Official bonds of said
 Sage, Shuff & Co

Voucher "118"	To amt paid on a note given Messrs Hagan & Widenore, attys. to defend interests of all Sage Securities as Shuff.	64 04
A.R. Surgen 1878 Dec 4th	+ To Int. on same	9 60
	+ Amount June 13th 1881	73 64
Voucher "119"	To S. H. Linsay for amount paid on same note on Judgment on same	30 00
Jany 20-1880 S. H. Linsay	+ To interest on same	2 55
	+ Amount	32 55
Feb. 17-1880	To amount paid by same upon same	30 00
Voucher "120"	Same - To int on same	2 50
	To P. H. Linsay for amount paid by him on same	32 50
1880 Mar. 19th		30 00
P. H. Linsay	To int.	2 25
Voucher 121		32 25
Mar. 15-1880	To amount paid by A.R. Auden- A.R. Auden	30 00
	+ To int on same	2 25
	Amount June 13th 1881	32 25

Voucher 122

Mar. 1-1880 To J. H. Bundy for amount paid
J. H. Bundy on same

+ To int. on same

+ Amount

35 00

2 62

37 62

1881

June 13th
Voucher
135

To A. R. Surgen for amount
paid Morrison and Duncan
attys

125 00

Additional sums allowed since last
Report-

1882

Sept. 4th +
Vouch J.

S. S. Surgen paid Lane & Richmond on 75% fee +

14 55

1882

+

Same " Lane & Duncan Ely Case (fee) +

5 00

Sept. 4

Vouch J. +

A. R. Anderson paid Lane & Richmond on 75% fee

18 00

1882

Sept. 4 +

Same paid Lane & Duncan fee Ely Case

5 00

1882

Sept. 4 +

Vouch K

S. H. Lemay paid Lane & Richmond on 75% fee

8 25

+

Same paid Lane & Duncan fee Ely Case

5 00

1882

Sept. 4 +

Vouch

1/2

L. H. Benson paid Lane & Richmond on 75% fee

5 00

1882

Sept. 4 L. +

Vouch

A. R. Surgen paid Lane & Richmond on 75% fee

8 00

+

Same paid Lane for drawing pleas in

+

the Dickinson & Edmundson case

35 00

+

Same paid Lane & Duncan Ely Case

5 00

1882 Sept. 4th

Same paid & to be paid costs of this suit

165 00

Vouch M. +

C. W. Hill paid Lane & Richmond on 75% fee

5 00

Vouch N. +

A. R. Anderson paid Lane & Richmond on 75% fee

13 55

Vouch O. +

J. F. Jones " " " " " " " " " " " "

3 35

+

R. H. Lemay " Lane & Duncan fee Ely Case

5 00

Amount

300 70

Statement of Amounts
for which all Bonds
are liables.

Report No 1.

\$365.80

Know all men by these precepts, That we, Wm W. Sage, William R. Graham, A. R. Surgenor, Waymon Law, Esq, John W. Bailey, A. H. Brasier, Lewis Smith, Jonathan Satten, S. H. Levasy, John A. Moore, W. P. Miller and Randolph Stae, of Lee County, are held and firmly bound unto the Commonwealth of Virginia in the sum of thirty five thousand dollars for the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves jointly, and severally, firmly by these presents. Witness our hands and seals, this 18th day of November 1867.

The condition of the above obligation is such that whereas the above bond William W. Sage was on the 22nd day of February 1867 commissioned by Breest Major General George Stoneman then commanding the Military District of Virginia as Sheriff of said County and State (to fill the vacancy occasioned by the expiration of the term of service of James W. Orr as such Sheriff, and directed to perform all the duties of said office according to law until his successor shall be duly elected or appointed and qualified. Now, if the above bonded William W. Sage shall well and faithfully perform and discharge all the duties pertaining to the office of Sheriff aforesaid according to law, then this obligation to be void, otherwise to remain in full force and virtue.

Lewis Smith Seal
S. H. Levasy Seal
John A. Moore Seal
Wm P. Miller Seal
Randolph Stae Seal
Jonathan Satten Seal

Wm W. Sage Seal
A. R. Graham Seal
A. R. Surgenor Seal
Waymon Law Seal
John W. Bailey Seal
A. H. Brasier Seal

A copy. Teste - James W. Orr Clerk

Mr. W. Sage
to a copy of Reid No. 1
2

Commonwealth

(Vol. No 1)

But No 2.

Exhibit (A1)

50 cts

Know all men by these presents, That we, Wm H. Sage, A.R. Surgenor, J. H. Bailey, Hiram Ely, C. C. Bell, S. S. Surgenor, and William R. Graham of the County are held and firmly bound, unto the Commonwealth of Virginia in the sum of thirty five thousand dollars, for the payment thereof well and truly to be made to the said Commonwealth, we bind ourselves jointly and severally firmly by these presents. Witness our hands and seals, this 30th day of December 1869.

The condition of the above obligation is such, that whereas by a commission bearing date February 22nd 1869, the above bound Wm H. Sage was appointed Sheriff of the County of Lee and State of Virginia to fill the vacancy occasioned by the expiration of the term of service Jas. H. Orr said commission having been issued under the authority of Brevet Major Genl. Stansman late commanding the district of Virginia by which said Sage is directed to perform all the duties of said office according to law, until his successor shall be duly elected or appointed and qualified. Now if the said Sage shall well and faithfully perform and discharge all the duties pertaining to the office of Sheriff aforesaid according to law then this obligation to be void, otherwise to remain in full force and virtue.

W. H. Sage (Seal)
A. R. Surgenor (Seal)
Jno. H. Bailey (Seal)
Hiram Ely (Seal)
C. C. Bell (Seal)

James Worley (Seal)
Russell J. Milham (Seal)
Jonathan Dalton (Seal)
S. S. Surgenor (Seal)
W. R. Graham (Seal)

A copy Teste James H. Orr. Clerk.

W. W. Sage

to } Acopy of Bond No. 2
to 3

Commonwealth

Exhibit "A2"

43

Known all men by these precepts, That we, William
H. Sage and W^m R. Graham, W^m McDonald, B. W. Barker
A. J. Bailey, Joseph Low, and Daniel S. Dickenson, of Lee
County, are held and firmly bound unto the common-
wealth of Virginia, in the sum of Thirty five thousand
dollars, for the payment thereof well and truly to be made
to the said Commonwealth, we bind ourselves jointly
and severally, firmly by these presents. Witness our hands
and seals, this 20th day of April 1869.

The condition of the above obligation is such that Where-
as by a commission bearing date February 22nd 1869 the
above named W^m H. Sage was appointed Sheriff of the
County of Lee and State of Virginia to fill the vacancy oc-
casioned by the expiration of the term of service of
James H. Orr, said commission having been issued un-
der the authority of Briget Major General George Stau-
man commanding the District of Virginia by which
said Sage is directed to perform all the duties of said of-
fice according to law, until his successor shall be
duly elected or appointed and qualified. Now if the said
W^m H. Sage shall well and faithfully perform and discharge
all the duties pertaining to the office of Sheriff aforesaid
according to law, then this obligation to be void, otherwise
to remain in full force and virtue.

(Signed) B. W. Barker. Seal
(") Andrew J. Bailey Seal
(") Joseph Low Seal
(") Daniel S. Dickenson Seal

(Signed) W^m H. Sage Seal
(") W. R. Graham Seal
(") W^m McDonald Seal

Virginia.

At a County court continued and held for Lee

county at the courthouse thereof, on Tuesday the 20th day of April 1862.

Wm. H. Sage was, on the 22nd day of February 1862 appointed by Brevet Major General George Staunton, lately commanding the District of Virginia, Sheriff of the county of Lee and who was empowered and directed to perform all the duties of his office until his successor shall be duly elected or appointed and qualified, this day appeared in court, and together with Wm. R. Graham, Wm. McDonald, D. W. Berner, A. J. Bailey, Joseph Loran, and Daniel S. Dickenson, his securities entered into and acknowledged a bond in the penalty of \$35,000⁰⁰ conditioned according to law, which bond is duly stamped. And thereupon the said Sage took the oath of Fidelity to the Commonwealth, the oath prescribed by act of Congress passed July 13th 1862, the oath against Duelling, and the oath of office. And the clerk of this court is ordered to record the said bond, and is also directed to transmit a copy thereof to the Auditor of Public Accounts together with the order.

A copy.

Teste James W. Corbless

Wm H. Sage
to 3 Absys of Band M
Commonwealth

408.

Decr 20 1869.

Exhibit "A."

Know all men by these presents, That we, Wm N. Sage
James Mosley, Charles M. Hill, John N. Bailey, W. B. Graham
A. R. Surgenor, Wm P. Miller, Jonathan Dalton, Decker
Gabbler, S. H. Levasy, A. J. Bailey, Maymon Lambert
E. C. Bell, John M. Andrus Wm N. Levasy are held and
firmly bound unto the Commonwealth of
Virginia in the sum of thirty five Thousand dol-
lars for the true payment whereof well and truly
to be made to the said Commonwealth, we bind our-
selves, jointly and severally, firmly by these pres-
ents. Witness, our hands and seals this 21st day of
March 1870.

The condition of the above obligation is such
that whereas the above bond by virtue of authority
vested in Major General George Staunman lately
commanding the District of Virginia said Sage
was by a commission bearing date 22nd day of Feb-
ruary 1870 appointed Sheriff of Lee in the State aforesaid
to fill the vacancy occasioned by the removal of
James N. Orr late Sheriff of this County, and by which
commission said Sage is directed to perform all
the duties of said office, according to law, until his
successor shall be duly elected or appointed and
qualified: And the General Assembly of Virginia
having enacted that all such officers of the Com-
monwealth, who qualified on or before the 26th
day of January 1870 be recognized as legal officers
and exercise the rights and powers, perform the

duties, and enjoy the privileges and emoluments appertaining to the same as far as they may lawfully do under the present Constitution and laws of the State and until their successors are elected or appointed and have duly qualified, provided said said officers shall give or renew their bonds with good security in the penalty now provided by law within 30 days after the passage of this act. Now, if the said William W. Sage shall well and faithfully perform and discharge all the duties pertaining to the office aforesaid, according to law, then this obligation to be void, otherwise to remain full force & virtue.

W. W. Sage Seal

Dickens ^{his} Seal
_{mark}

S. H. Levasy Seal

A. J. Bailey Seal

W. W. ^{his} Seal
_{mark}

C. C. Bell Seal

John M. Audis Seal

Wm W. Lawson Seal

James Harley Seal

Chas M. Hill Seal

John W. Bailey Seal

W. R. Graham Seal

A. R. Singer Seal

Wm P. Miller Seal

Jonathan Dalton Seal

A copy.

Teste James W. Orr. CLK

Wm W. Sage
to } copy of Band 43
}
Commonwealth

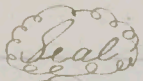
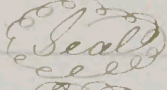
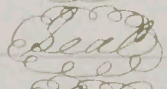
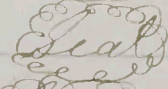
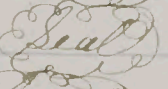

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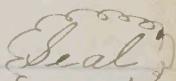
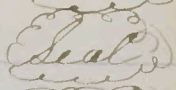
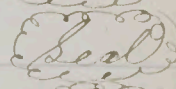
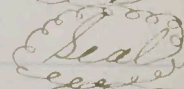
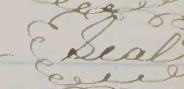
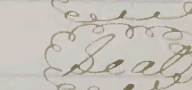
21st Nov 1870

Exhibit "A 3"
4

Know all men by these presents, That we, W^m
W. Sage, John D. Sims, A. R. Anderson James Wasley,
John Milbourne, S. S. Surgenor, George B. Milbourne
John W. Bailey, James F. Jones, Wm P. Miller, A. R. Sur-
genor, Daniel S. Dickenson are held and firmly
bound unto the Commonwealth of Virginia in the
sum of thirty thousand dollars for the true pay-
ment thereof well and truly to be made to the said
Commonwealth, we bind ourselves jointly and
severally, firmly by these presents. Witness our
hands and seals this 19th day of May 1870.

The condition of the above obligation is such that
whereas the above bound W^m W. Sage was by Hen-
ry J. Morgan Judge of the County Court of Lee
County this day appointed Sheriff of the County
of Lee to serve as such until his successor shall be
 duly elected and qualified. Now if the said W^m W. Sage
shall well and faithfully perform and discharge the
duties of his office aforesaid according to law, then
this obligation to be void, otherwise to remain in
full force and virtue.

George B. Milbourne 
John W. Bailey 
James F. Jones 
William P. Miller 
A. R. Surgenor 
Daniel S. Dickenson 

W^m W. Sage 
John D. Sims 
A. R. Anderson 
James Wasley 
John Milbourne 
S. S. Surgenor 

A copy. Teste - James W. Orr Secy

Wm W. Sage
to } copy of Baid to 4
5-
Commonwealth

No 5-
May 19th 1870

Exhibit "A 4"
J-

Know all men by these presents, That we, Wm N. Sage, John Milhousen, Wm P. Miller, S. S. Levasy, N. W. Levasy, A. R. Surgenor, S. S. Pickensson, S. S. Surgenor Joseph H. Barclay, Jonathan Dalton, John M. Whitehead, A. J. Bailey, John N. Bailey, A. M. Ely, P. H. Levasy & Alexander Wynn, of Lee County are held and firmly bound unto the Commonwealth of Virginia in the sum of fifty thousand dollars for the payment thereof well and truly to be made to the said Commonwealth we bind ourselves, jointly and severally, firmly by these presents, and we hereby waive the benefit of our Homestead Exemption as to this bond. Witness our hands & seals this 13th day of January 1871.

The condition of the above obligation is such that whereas the above bound Wm N. Sage, late Sheriff of the County of Lee, whose term of office expired on the 31st day of December 1870 has been by the general Assembly of Virginia authorized and empowered by an Act thereof approved January the 6, 1871 to proceed with the collection of the State Revenue and county levies which have been or may be assessed for the year 1870 in like manner as the same have heretofore been collected. The judge of the county court of said county having examined the bond heretofore executed by said Sage as such Sheriff, and doth deem the same insufficient and hath required the execution of a new bond as required by the act aforesaid. Now, if the said William N. Sage shall well and faithfully

collect the state taxes and county Levies which have been or may be assessed for the year 1870 within the time prescribed by law and shall well and truly pay into the State Treasury the said State taxes, and shall also pay the said County levy to those entitled thereto, and within the time prescribed by and shall otherwise conform to all laws relating to the collection of the public Revenues and county levies, then this obligation to be void, otherwise to remain in full force

S. S. Surgenor Seal	W. W. Sage Seal
Joseph A. Bunday Seal	John Milhorne Seal
John M. Whithead Seal	A. J. Bailey Seal
John W. Bader Seal	A. P. Miller Seal
A. M. Cly Seal	S. H. Levasy Seal
P. W. Levasy Seal	W. W. Levasy Seal
Alexander ^{his} Wynn _{mark} Seal	A. R. Surgenor Seal
Jonathan Dalton Seal	D. S. Dickerson Seal

A copy

Teste James W. Orr. Clerk

W. W. Sage

A copy of Bond No 5

Seal

Exhibit "A5"

Vouchers

1st Report -

Received of A.R. Surgenor five hundred
and seven dollars & 83 Cents, to be
credited on a judgement rendered
in the Circuit Court of Lu County in
favor of the Commonwealth for
Wm B Dickenson against Wm W
Lape A.R. Surgenor & others this
30th day of June 1881.

C. T. Duncan Atty.

Surgeon
Van der
—

N. - p.

Wm B. Dickinson

usd Recd \$507.83

Pay & Summ

115

Recd July 20th 1882 of A.R. Seeger
two hundred dollars to be credited
on an execution in favor of the
Commonwealth for W.B. Dickinson
against W.W. Sage et als.

H. K. Moises
Att'y for Dickinson

A. R. Surgeon
from { Rept
H. S. W. Morrison
T

"129"

One day after date for value received
we or either of us promise to pay R.A.
Ayers or order Fifty dollars as a fee
for prosecuting a compromise with
the Auditor of public Accounts of two
judgments obtained in the Circuit court
of the City of Richmond by the Common-
wealth against W.W. Sage and his securities,
and we further agree and bind ourselves
jointly and severally to pay to the said
Ayers the additional sum of one hundred
and fifty dollars should he succeed
in compromising said judgments by the
payment of one thousand dollars, and
should he have to pay more than that
sum then the ^{one} hundred and fifty dollars
to be lessened ten dollars for every hundred
over one thousand dollars and under fifteen
hundred dollars that he has to pay to com-
promise said judgments and we each
waive the benefit of our homestead exemp-
tion as to this debt Witness our hands
and seals This the 27th day of December 1877

Attest

A. R. Surgenor Seal
S. J. Surgenor Seal
A. R. Anderson Seal
W. H. Linsay Seal
Seal
Seal

Upon settlement this day
made with A R Surquener
S S Surquener & Aaron
R Anderson I have received
~~Twenty seven & 50/100 dollars~~
~~fifty dollars~~ in full
settlement of the within
their part of the within
obligation Dec 1st 1879
R. A. Ayers

I assign to S S Surquener A. R.
Surquener & A R Anderson
Twelve dollars & fifty cents
balance of the above within note
which should be paid by S. H.
Lewisay Dec 1st 1879 R. A. Ayers

A R Surquener & al
To 1/2 note on Bond
Refused A. Ayers

"123"

for the within note by S. H. Lewisay
paid to A. R. Anderson
Jan 4th 1881
Jan 18th 1880
\$1.19
\$2.97

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of Wm W. Sage, A. J. Bailey & H.

Leracey Wm W. Leracey, A. R. Surgeur, Stephen S. Surgeur, J. M. Whithead,
Am. Ely, P. H. Leracey, Jonathan Talton & Joseph H. Tandy.

Late in your Baliwick, you cause to be made \$ 27.37 with legal interest thereon from the 2^d day of

February 1881, till payment, which Anderson Williams for J. B. Williams

Lately in our Circuit Court of Lee County has recovered against them by suit for Debt
also \$ 12.70 which to the said Williams

in our Court were adjudged for Lis costs in that behalf expended, whereof the said

Sage et als are
Convicted, as appears to us of record. And that you have the same before the Judge of our said Circuit Court at
the Courthouse on the first Monday in July next to render to the said Williams

of the Debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 17th
day of July 1876, in the 10 / year of the Commonwealth

James W. Orr CLERK.

A copy

Liste

J. B. Hyatt Clerk

Cr, July 3rd 1870, by A.R. Surgeon
 " " " S.D. Surgeon
 " " " S.H. Leavacy
 " " " J.H. Burdick
 " " " Aug

\$8.48¹/₃
 8.48¹/₃
 8.48¹/₃
 16.00

70) (8) (11) (22)

Anderson Williams & Co

3
 3
 3

Wm. W. Sage et al

Sept Rules 1876.

Satisfied

J. C. Scott & S.
 for J. S. Ely & L. L.

A copy
 Leste J. H. Hyatt
 1876

(100)

Free for copy .20^c

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of A. R. Anderson,
S. S. Surgenor & A. R. Surgenor

Late in your Baliwick, you cause to be made \$ 150.00 with legal interest thereon from the 6th day of
May 1879, till payment, which Patrick Hagan assignee of
B. A. Ayers

Lately in our circuit Court of Lee County has recovered against them by suit for Debt
also \$ 8.20 which to the said Hagan assignee to
in our Court were adjudged for his costs in that behalf expended, whereof the said
Anderson & Surgenor are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at
the Courthouse on the first Monday in February ^{next} to render to the said Hagan assignee to
of the Debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 15th
day of Decr. 1880, in the 10 4 year of the Commonwealth

James W. Orr CLERK.

64.20
a 2.50
3 1.50
\$8.20

A copy costs

J. A. G. Hyatt Clerk

January the 30th 1880. Or by Cash Fifty Dollars paid
by S. S. Surgeon to H. Miles O.S.

Recd Jan 30th /80 of H. Miles O.S. for S.D. Ely S.D. do
fifty Dollars on this fifa. P. Hagan

Or Cash fifty one dollars on the within fi fa
this April 2nd 1880. Paid by Anderson
Or Cash five Dollars April to 27th 1880.

Received of Francis Miles fifty dollars on this fi fa
which Mr. Hagan received. A. P. Henderson

163)

3 101.

1448

March Hagan assigned to

no ^{my} fi fa

of Hagan's in the

Feb 1880

Presented by stating the

sums calculated to be

from the parties with the

in my district per the

credit & freight entered

April 29th 1880.

of Miles O.S.

for O.S. 24th 1880

of Hagan's

of Hagan's

of Hagan's

of Hagan's

of Hagan's

of Hagan's

of Hagan's

of Hagan's

of Hagan's

of Hagan's

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of

Late in your Baliwick. you cause to be made \$ 110.00 with legal interest thereon from the 14th day of July 1871. till payment, which— John R. West for Charles Daugherty Surr.

Lately in our County Court of Lee County has recovered against him by suit for Debt also \$ 6.76 which to the said West for 70 in our Court were adjudged for his costs in that behalf expended, whereof the said

Convicted, as appears to us of record. And that you have the same before the Judge of our said County Court at the Courthouse on the first Monday in February to render to the said Daugherty Surr. and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 24th day of December 1872, in the 10th year of the Commonwealth

James W. Orr CLERK.

b. 2.76
a. 2.00
s. 1.50
6.76

Copy
Late John R. Gibson clerk

206 (276) (10) 2440

John B. West for

28 } H. H.

S. S. Surgeon

No. 2222 to be taken

February Rule 1873.

Executed by levy

1 Bay horse the property of

S. S. Surgeon to date of the

within 30 days of the

26-1873

W. H. Parker

C. L. B.

by S. S. Surgeon

W. H. Parker

W. H. Parker

C. L. B.

Rec'd

Acty

Acty of R. Gibbons

Fee for this copy 10%

By each 4000 Paid June 2-1873
By S. S. Surgeon on his fee

1871 July 14- Crip 6000 paid by S. S. Surgeon

2. 12 22 5 3

The Commonwealth of Virginia
To the sheriff of Lee County, Greeting
We command you that of the goods and
Chattles of Wm W. Sage, John D. Sims, A. R.
Surgeon, James Worley, Geo. B. Milbourn,
S. S. Surgeon, John W. Bailey, James A. Jones,
Wm D. Miller & A. R. Surgeon, late in your
bailwick you cause to be made \$30000.00
to be discharged by the payment of \$700.35
with legal interest thereon from the first day
of December 1870, to the 27 day of March 1880,
and damages on the sum of \$762.28 at the
rate of six per cent per annum from the
said 27 day of March 1880, to the 6 day
of Sept, 1880, and legal interest on the said
sum of \$700.35, from the said 6 day of Sept.
1880 till paid, which the Commonwealth of Va
for Wm B. Dickenson lately in our Circuit Court of
Lee County has recovered against them by suit for
Debt also \$125.50 which to the said Commonwealth
for &c in our said ^{Circuit} Court, and in the Court of
Appeals, were adjudged for her costs in
that behalf expended, whereof the said Sage
Sims, Anderson, Worley, Milbourn, Surgeon,
Bailey, Jones, Miller, & Surgeon, are convicted
as appears to us of record, And that you
have the same before the Judge of our
said Circuit Court at the Court house on
the first Monday in February 1881

to render to the said Mr B. Dickenson
of the debt, damages, and costs as afore-
said, and have then there this writ
Witness James M. Orr Clerk of our said
Court at the Court House, this the 16th
day of December 1880, in the 105th year of
the Commonwealth,

Jan 14/81
A copy sent to Dr. H. H. H. H.
See for copy 60^c Peters.

Decr 1st	1878	Dr Cash by A.B. Burgess to American	\$20.00
"	"	" " " "	
"	"	" " " "	
Febry 13	1879	" Cash by A.B. Henderson	\$5.00
"	"	" " " "	
"	"	" " J.S. Burgess	\$5.00

3/5 of

\$467.50

acc. 570

is \$275.50

Received of A. R. Anderson two hundred
and seventy five dollars & fifty cents
On the same sheriff's matter being
money furnished me by him to pay
on execution of Commonwealth for
Wm D. Dickerson vs W W Sage it also
this 30th June 1881.

A. R. Surjessor

2

3

Received of A R Surgeon. One hundred
dollars. to go as a credit on an execution
in my hands for collection in favor of the
Commonwealth of Va for Harry C. Edmund
son, ^{Executor of the} vs. Wm Sage A R Surgeon & others
this the 7th day of January 1881.

Finances Miles J. S. for
Thos S Coly. S. L. C.

4 Miles 28

7 3 Repts

A. R. Surgeon

Received of A R Surgeon by the hand of
M D Richmond two drafts aggregating the
sum of two hundred and forty nine dollars. + fifty
cents to be applied as a credit to the Judgment
of Harry Edmundson Executor vs A R
Surgeon + Others. Or any other debt in my
hands for collection which the said Surgeon
may desire This 18th day of Feby 1881.
\$249⁵⁰ C. J. Duncan atty

Wm. M. Sage

To A R Surgenner

Dr

To this Sum paid Andrew Melbourne for you Sec bonds \$176 \$67.00

" " " " O. B. Bolin for you Sec bonds \$174 17.75

" " " " A. W. Hays on claim " \$177 45.00

\$ 129.75

The receipts taken by Mr Surgenner and filed with Sage's Settlements with the county, shows the fact that he as one of Sage's Securities paid to Melbourne \$67.00 to O. B. Bolin \$17.75 and to A. W. Hays \$45.00

Henry J. Morgan Comr.
Decr 1873

A R. Surgenor

as } claim \$129.75
}

Wm H. Sage

"124"

Box 5-

Hagan & Picdemore
Against
James Worley & Eight others

Plffs. In Circuit Court
on bond for debts
Dfts. of \$200.00

Received of Henry J. Morgan as a guarantisee
on account of his and J. D. & B. M. Morgan indebtedness to
Joseph H. Bundy, one of said defendants the sum of
thirty five dollars for and on account of said Bundy's
share of said debt or bond, and we hereby release
said Henry J. Jas D. & B. M. Morgan from any and all
further liability to us on account of said Guarantisee.

Hagan & Picdemore

This receipt was given about Feb or March 1880

H J Morgan

Hagen & Pridmore

To { Receipts
2

H. J. Morgan & Co. Cash
of J. H. Brundage

"122" 7

Brundage

I William McDonald one of W. W. Sage's securitys in his bond as late Sheriff of Lee county, dated in April 1869 do swear that about Nov 1869. I as one of said Sage's securitys surrendered him to the county court of Lee county by proper notice, requiring him to give a new bond, and a new bond was accordingly ^{given} by said Sage, with other securitys, and I did not afterwards at any time become said ^{Sage's} security in any other bond.

Some years after I had so surrendered said Sage some one or two motions was made against him and some of his securitys in his bond dated April 1869. for the failure of said Sage to pay over money collected which had been collected or ^{for which he} had become liable for sometime between April and Nov. courts 1869. And judgments was rendered against affiant as security in bond dated April 1869 and at subsequent times both of said judgments were paid by him. These were the only two matters affiant was interested in as far as he then, or now knows.

Affiant did not employ any counsel to defend said motions or incur any expense or charges of any kind nor has he down to this time learned, that any of his co-obligors in said bond of April 1869 have in any way incurred any costs or charges of any character.

Affiant does not know how all, or the principal ^{part of} the charges have been incurred which have been reported in this cause by Com. Orr as resting jointly on the 6 bonds given by Sage during his term of office, but he is informed and believes that a considerable part thereof was incurred by some of the securitys in defending the Dickinson

Edmerson Suits and in trying to get rid of the
Commonwealths Judgments, & in defending motions
for county claims brought & prosecuted against the 6th and
last bond. And no part thereof so far as affiant knows
was laid out or expended in any matter or thing in
which bonds No. 1 2 & 3 were in the least interested
but the whole of such expense save the costs of this
suit were for matters and things relating to bonds
4, 5, & 6. to the truth of these statements I do solemnly swear

Wm^{his} McDonald
mark

Sworn to before me by Wm McDonald.
this 2 day of April 1883.
H. J. Morgan Comt.

Wm McDonald

affiant to sup. Exec

A. R. Sangreman

(2)

A. R. Surgenor.

1880.

To the Clerk of the Circuit Court

Dr

Jan'y 30 Copying Record for you of the Commonwealth for &c

" vs Wm W Sage et als. 40, pages

\$ 12.00

July 30 Copying Dec't in case of Commonwealth for Henry C

" Edmondson Admr &c vs Sage et als. 100 pages.

2.10

\$ 14.10

James W Orr. Clerk.

5
A. R. Sengener

\$14.10

"132"

Received of A. R. Surgeon One hundred
and Twenty five dollars, amount in
full of a fee, which the said Surgeon
& others agreed to pay Morison & Duncan
for ^{their services} ~~as sign~~ in the Bill of Review & Cross bill
vs. W. H. Sage & others, & A. M. & Co for & others
this 18th day of March 1882.

C. T. Duncan.

C. T. Duncan
To $\frac{1}{2}$ Rept
A. R. Surgeon ^{as} ~~at~~

135

all bonds

1878 To Morrison & Duncan

For a bill of Review 60.00

Interest to March 1st 1882 15.00

For a Gross bill 50.00

\$ 125.00

VIRGINIA :—In the Clerk's office of the Circuit Court of Lee county, the 14th day of January, 1881.

A. R. SURGENER,

Plaintiff,

against

Wm. W. Sage et als.,

Defendants.

IN ANNUITY, ON A CROSS BILL.

The object of this suit is to ascertain and settle the liabilities of Wm W Sage, late sheriff and tax collector of said county and his securities in his several official bonds as such : and to subject to the payment of said liabilities any estate owned by said Sage, and to set aside as fraudulent, certain conveyances of certain lands in the bill mentioned, made by said Sage and others and subject such lands to the payment of said liabilities ; and to have contribution made by and among said securities in his said official bonds and it appearing from an affidavit filed in the cause that Jonathan Dalton, W W Levacy, Wm R Graham, Wayman Lambert, Joseph Lowe, Joseph H Bundy, Geo B Milbourn, P H Levacy and Alexander Wynn, are non residents of this State, it is ordered that they appear here within one month after due publication of this order and do what is necessary to protect their interest in this suit. A copy—Teste,

prf\$750j21

JAMES W. ORR, clerk.

The plaster, now
determined not to waste it,
The covers down I turned
And on his stomach placed it.
"Thieves! Murder!" came his yell—
It was drowned!

I hereby certify that the annexed
Chancery order was printed four suc-
cessive weeks in the "Sentinel", a weekly
newspaper printed at Jonesville, Va. Publi-
cation ending Feb. 25, 1881.
J. M. Orye Pub.

A.R. Surgenor
15. } Pub. Cent.
Wm W. Sage & als

Virginia.

In the Clerk's office of the Circuit Court of Lee County
the 14th day of January 1881.

A. R. Sanger

against

Plaintiff } In chancery,
On a cross bill.

Wm W Sage et als

Defendants

The object of this suit is, to ascertain and settle the liabilities of Wm W Sage late Sheriff and tax collector of said County, and his securities in his several official bonds as such, and to subject to the payment of said liabilities any estate owned by said Sage, and to set aside as fraudulent certain conveyances of certain lands in the bill mentioned, made by said Sage and others and subject said lands to the payment of said liabilities; and to have contribution made by and among the said several securities of the said Sage in his said official bonds. And it appearing from an affidavit filed in the cause that Jonathan Dalton, W. W. Leacy, Wm R Graham, Waymon Lambert, Joseph Louie, Joseph H Brandy, George B. Millhouse, P. H. Leacy, & Alexander Hymn are non-residents of this State, it is ordered that they appear here within one month after due publication of this order and do what is necessary to protect their interests in this suit.

A copy,

Teste—James W Orr. Clerk.

Virginia, Lee County, to wit,

This is to certify that on the 18th day of January 1881, the same being the first day of County Court, I posted at the front door of the Court house of said County, a copy of the above order.

James W Orr. Clerk.

A. R. Sargener

vs Order Pub.

Wm W Sage et als

P. Hagan assigns of
A. R. Byers.
V^o 3 Copy of hist
& Receipt
A. R. Surgeon et al

'125'

Fee for copy. 20¢

20¢

A. R. Surgeuer, S. S. Surgeuer, S. H. Levaey & W. P. Miller

1878,

To the Clerk of Lee County Court

Dr.

June

Ent. atts ad John M. Whitehead 10

10

July

Swearing wit 20, Judge 36, Sparing Costs 70 40

76

Li. Fa 40 recpt, 18.

58

\$1 64

James W. Orr clerk

Dr. Surgeon
to the

#164

"131"
L

1
I paid these over instead
in the Circuit Court of
the County of
1878

Recd. Apl 2/78 of A R Surgen
one hundred and forty two dollars
& seventy five cents (\$142⁷⁵) amt
in full of a forthcoming bond exd to
Marion J Punnington et al by A R Surgen
W W. Sage & S S Surgen which bond
was given on a fi. fa issued on a decree
in favor of Marion J. Lauson W. Bro & Mother
Punnington & A G Reed & Rachael his wife vs Mrs W
Sage & said A R Surgen & Hagan & Prichard attes
R. R. H

Hand 5-

W. J. Pennington

vs. J. Rept

Sage & Scurtis

"127"

Lingam A.R.

One day after date I bind
myself to pay Patrick Hagan
forty two Dollars & 68 Cents.
which is the amount due from
me on a judgment in favor
of L. H. Hagan - after the said
Hagan has deducted \$70 - the
Amount of a fine obtained
on said Judgt vs. Mrs. M. Doyle
late Sheriff &c. - The said
sum is due the said Hagan
as the assignee of said
debt. He having paid the
entire amt due said Hagan
to his Counsel York & Fullerton,
In addition to the above
sum I am to pay the Clerk
& Sheriff costs incurred in
a motion pending against me
in the County Court of Lee Co
Va. ^{in the name of said Hagan} Witness the following
Signature & date this 1st of
May 1876 M. S. [Signature]

A. R. Surgen
to h note p¹ 42 600
P. Hagan

134 & depd.

0049
1000
2000

Received of S. A. Levaag the sum of thirty
dollars to be credited upon an execution we hold
against him S. A. Surgermer and others - but this is
not to interfere with the Sheriff's Commission
in said case. Jan. 20th 1880.

Hagan & Pridemore

Hayden & Wideman
vs. Rapt 30
Sage Shuff. et al.
Jan 20/80

S. H. Murray

"119"

1877.
April 2.

Same date

The securities of W W Sage late Sheriff
of Lu County Va. in bond No 5th

To A R Surgeon one of said Surties Dr.
To this sum paid W H Burns. Atty gen
in the case of the Comwalth for W B. Dickman
& Fanny C Edmondson Ex. vs W W Sage
& his securities in bond No 5. 20.00

To this sum paid W B D Lane. Jr in same
Case -

35.00

55.00

Virginia Lu County S. Wit

This day A R Surgeon. personally
appeared before me W A Orr Commis
sioner and made oath that the above
account is just true and unpaid, that
the above sums were paid by him, for
the services of said Attorneys in said
cases, that all the surties in bond No 5
were interested alike with himself in
the defense of said suits and that he
employed said Attorneys for the benefit
of all of said surties alike with himself
Given under my hand this 30th day
of Jan'y 1882.

A R Surgeon

A. R. Lingen

28 } Bond No 57

Sage & Securities

1877 Apr. 2 \$55

"128"
" "

Know all men by these presents, That we, William H. Sage, James Worley, Charles M. Hill, John W. Bailey, M. R. Abraham, A. R. Senger, William B. Miller, Jonathan Dalton, Dickenson Isable, S. H. Levey, A. J. Bailey, Raymond Lambert, C. C. Bell, John H. Andis, and William W. Levey are held and firmly bound unto the Commonwealth of Virginia in the sum of thirty five thousand dollars for the true payment whereof we and truly to be made to the said Commonwealth, our heirs, executors jointly and severally, firmly by these presents. Witness our hands and seals this 2nd day of March 1870.

The condition of the above obligation is such, that where as the above bound — by virtue of authority vested in Major General George Stoneman, lately commanding the district of Virginia, said Sage was by a commission bearing date the 22nd day of February 1870, appointed Sheriff of the county of Lee in the State of Virginia, to fill the vacancy occasioned by the removal of James W. Orr, late Sheriff of this county, and by which commission said Sage is directed to perform all the duties of said office according to law, until his successor shall be duly elected or appointed and qualified. And the General Assembly of Virginia having enacted that all such officers of this Commonwealth, so qualified as or before the 26th day of January 1870, be recognized as legal officers and exercise the rights and powers, perform the duties and enjoy the privileges and emoluments appertaining to the same as far as they may lawfully do under the present constitution and laws of the State, and until their successors are elected or appointed and have duly qualified, provided said officers shall give or renew their bonds, with

good security, in the penalty now provided by the law within 30. days after this act. Now, if the said William W. Sage shall well and faithfully perform and discharge all the duties pertaining to the office aforesaid according to law, then this obligation to be void, otherwise to remain full force and virtue.

William W. Sage	(Seal)	Jonathan Dalton	(Seal)
James Worley	(Seal) +	Dieckman ^{his} his _{mark} habble	(Seal)
Charles M. Rice	+ (Seal) +	S. H. Levesay	(Seal)
John W. Bailey	(Seal)	A. J. Bailey	(Seal)
W. R. Lybham	(Seal)	Raymond Lawler	(Seal)
A. R. Surgenor	+ (Seal)	C. C. Bell	(Seal)
Wm. H. Miller	+ (Seal) +	John M. Audis	(Seal)
		William W. Levesay	(Seal)

A copy.

Teste John C. Orr, D.C.

A. R. Surgenor
 25. Copy of Bond for W.
 W. Sage Sheriff et al

W-4

Subscribed:
 J. C. Worley
 J. W. Miller
 A. R. Surgenor
 Louis P. Miller
 Dickinson Habble
 S. H. Levesay
 J. M. Audis

For 40 4

Statement of amounts paid by Certain securities of Wm. W. Sage, Shff. &c in his			
Voucher "123"	Official bonds as such in No 4 & 5 & 6		
Dec. 1st 1879	To amount settled by A. R. Surgeon		
A. R. Surgeon	with R. A. Ayers, Atty, a fee for the benefit of securities in these bonds	16 66 2/3	
+			
	To int. on same	1 54	
	Amount June 13 th 1881	18 23	
Voucher 123	To S. S. Surgeon for amount		
Dec 1 st 1879	paid on same claim	16 66 2/3	
S. S. Surgeon	To int. on same	1 54	
	Amount	18 23	
Voucher 123	To A. R. Anderson for amount		
Dec 1 st 1879	paid on same claim	16 66 2/3	
A. R. Anderson	To int. on same	1 54	
	Amount	18 23	
Voucher "124"	To same for amount paid on		
Apr 27 th 1880	same - though to P. Hagan		
Same	assignee & on a fee for	51 00	
+	To int. on same	3 41	
		54 41	
Voucher "124"	To S. S. Surgeon for amount		
Jan 30 th 1880	paid on same	50 00	
S. S. Surgeon	To int. on same	4 10	
	Amount	54 10	

H
De
C
Dr
Prin

Voucher "124"	To S. Sugener for amount		
Apr 27/80	paid on same		5 00
S. S. Sugener	To interest on same	33	
	Amount		5 33
Voucher 125	To amount paid on same		
Oct 20/80	by A. R. Sugener		60 93
A. R. Sugener	To int. on same	2 37	
	Amount		63 30

Joint
Statement of Bonds
No. 4,586

Report No. 1

\$231⁸³

Virginia, Lee County, to wit.

This day A. L. Pridemore personally appeared before me and made oath that a Two hundred dollar note executed by A. R. Surgenor, S. H. Leuacy, Andrew McEly, Joseph W. Brandy & perhaps others of Wm W. Lige's securities, as late Sheriff & tax collector of Lee county Virginia to the firm of Wagon & Pridemore, was drawn by myself and signed by the obligors, the Contract being made by me with them. The note pretty fully specifies the contract and services to be rendered, which was legal services and advice to be performed for the obligors therein, and the residue of Lige's securities alike, and I know of no services rendered by us, or intended to be rendered by us, under said Contract, that was not alike beneficial to all of said securities. So help me God.

A. L. Pridemore

Subscribed and sworn to before me, Nov 23rd 1852.

James W. Orr, Commr,
in chancery

A. L. Pridemore
affiant

before allowed

Virginia, Lee County, to wit,
I James W Orr do swear that on ^{or about} the 1st day
of June 1869. I as late Sheriff of said County
placed in the hands of Wm W Sage then Sheriff
of Lee County Va, certain unpaid tax tickets
& fee bills due me as late Sheriff, and took
his receipt therefor, which receipt bore date
June 1st 1869. and on settlement of said
matter with Mr Sage in the year 1871, there
was a balance due me on said receipt of
\$122.64 which amount I assigned or transfer-
red to S. H. Winter. So help me God.
James W Orr.

Sworn to before me January 26th 1882
Wm A. Orr
Special Commr.

James Worley
from Receipt
Committee

Worley

I have paid for James Worley on the judgment due the Commonwealth against Sage Worley to the sum of \$377.50 before 1881 and said Worley has assumed the payment thereof to me and this is also a charge against the notes in my hands.

H. J. Murgan

About the month of Feb. 1872 W. W. Sage conveyed to James Worley a tract of land said to contain about 150 acres lying on the South Side of Wallens ridge, and in consideration thereof said Worley executed to me his note for \$660.00 bearing 10 percent interest from date till paid.

This method was adopted by said Sage as I then understood to raise some money to meet his liabilities as late Sheriff of Lee County. Worley having given his note to me as above stated, I had to settle with Sage the amount of said note, and in doing so, I assigned to him without recourse on me a lot of small notes on sundry persons amounting in the aggregate to about \$160.00 leaving \$500.00 to be paid out on his liabilities as late Sheriff, and that sum or about that sum was so applied as well as I now remember.

I remember of paying for said Sage on his liabilities as such Sheriff to the following persons the following sums

To L. B. Duff adm. of J. M. Venable died either about \$127.00 or \$137.00. to S. H. Minter assignee of J. W. Orr about \$137.00 to myself as adm. of W. C. Carous died about \$148.00 to myself as agent for J. O. Everett Survivor of himself and said Carous about \$111.25 but as to whom or where I paid the balance of \$500.00 to or for said Sage, I do not now remember, but my recollection is that it was paid on some of Sages liabilities.

Some of the notes above referred to was some thereafter in the hands of Mr. A. R. Surgenner as I was informed by some one or more of the persons who used some of them.

To the truth of these statements I do swear to the best of my present recollection so help me God.

Henry J. Murgan
Jan 25-1882

S. H. Minister (g. l. v. Orr matter) Bond 1 - Conley and
a Security.

Think the \$20 paid before for an claim
for which Shiff liable before Conley was
one of his Securities

What called

Bond 5 &

Conley

"B"

James Conley
Bond 5 & 6
Conley & Co

I agree and bind myself my heirs to
pay Mr H Burns twenty dollars, and
I hereby waive my home stead exemption
as to the collection of this debt, witness
my hand, and seal the 2d of April 1877

A. R. Surgeon ^{seal}

A. R. Surzumer

note \$20.00

Wm. H. Burns

Received of A.R. Surgeon two hundred
dollars, to be credited on a judgment
and Execution in favor of the Common-
wealth for W.B. Dickenson vs W.W. Sage -
late Sheriff & his sureties in his official
bond and of which the said Surgeon is
this 14th day of March 1882.

C. J. Dunsen Atty.

C. J. Duncan

To $\frac{1}{2}$ Rept.

A R Surgeon

Received of A R Surgeson One hundred
dollars to go as a credit on a judgement and
execution obtained by me against W W Sage
late Sheriff of Lee County and said Surgeson
and others his sureties on his official bond
as Sheriff as aforesaid This 2nd day of Decem-
ber 1878

J. M. O'Neil

W B Dickson
to J. Repts.
A R. Lymer

114

Rec'd of Henry J. Morgan twenty two dollars & fifty cents
which is to be credited on an execution in my hands in favor
of Jas. V. Henry against Mr. W. Sage & others - his sureties.
this, 20th, day of May 1872.

Wm AmBaker Is for
C. J. Hamblin S L C

"5"

Wm & Baker

Receipt

By Henry Baker

Wm & Baker

\$2500
Receipt of Sth Lavesay on
an Execution in my hand in favor
of Wth R Graham for the benefit of
William & Teller the sum of Fifteen
Dollars. May the 2nd 1874 and also Ten
Dollars May the 18th 1874 on an Execut
against Wth W Sage and his assigns
May 18th 1874 Wth Am Baker
for Cth S Hamblin & Co

Wm R. Graham of form

vs { Receipt to
S. H. Limray

W W Sage & Affs. als

Duplicate of
101

Wm Baker
Receipt
\$2500

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of Wm M. Sage, Lewis Smith,
A. R. Surgenor, H. H. Brasins, S. H. Leacy, John A. Mager, Wm P. Miller,
C. L. Hamblin, Admors of Randolph, Geo. Deed, Frotham, Galtow, & J. W. Bailey.
Late in your Baliwick. you cause to be made \$ 75.00 with legal interest thereon from the 15th day of
Decr 1869. till payment, which Wm R. Graham for Wm N. Keller

Lately in our County Court of Lee County ha^d recovered against them by suit for money collected by
Raid Sage and not paid over
also \$ 28.54 which to the said Graham for &c
in our Court were adjudged for his costs in that behalf expended, whereof the said
Sage et al, as aforesaid are
Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at
the Courthouse on the first Monday in June to render to the said Keller
of the _____ and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 11th
day of April 1874, in the 98th year of the Commonwealth.

John W. Gibson CLERK.

A copy
Lette
C. 8.54
a. 15.00
S. 5.00
\$28.54

J. H. Hyatt Clerk

chy - 36 - (S) (H&D)

Wm R. Graham for &c

vs } Hi Ha

Wm W. Sage et al
to security to be taken

June Rules 1874

Executed by leaving on
one brone mule & one
two horse wagon the
property of John A. Moore
May 16th 1874.

Wm M. Baker
as for L. L. Hamblin
B & L

(101)

A copy
Lester

J. H. Wyatt & Co.

Fee for copy 20.

Dr. May 2-1874 by J. H. Hamblin
" " " " " " " " " " " "

\$15.00
10.00
\$25.00

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of Wm W. Sage, John D. Sims

A. R. Burgess, John Morley, R. S. Burgess, H. R. Miller, A. R. Anderson

Late in your Baliwick, you cause to be made \$ 59.50 with legal interest thereon from the 21st day of October
October 1873 till paid payment, which Ward & Gibbons

Lately in our County Court of Lee County had recovered against them by suit for Shine

also \$ 8.71 which to the said Ward & Gibbons

the same in our Court were adjudged for his costs in that behalf expended, whereof the said

Sage et al are

Convicted, as appears to us of record. And that you have the same before the Judge of our said County Court at

the Courthouse on the first Monday in April to render to the said Ward & Gibbons

of the Debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 6th

day of February 1874, in the 10th year of the Commonwealth

James W. Orr CLERK.

6271
2450
5350
871

Safely
Teste Jno R. Gibson Clerk

Vol 7 - (33) A (NYP)

Wm H. Ward for 7c

vs J. F. F.

Wm W. Sage et al
vs security to be taken

April Rules 1874

Not Executed for want

of time

W. A. M. Baker

S. S. for L. Hamblett

Acufy

Teste John R. Gibson et al

108

Fee for this copy 208

Vol 7 - (33) A (NYP) March 23rd / 74 By A. R. Anderson

Teste John R. Gibson et al

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of S. H. Leacy, A. R.

Anderson & S. S. Burgess
the penalty of a fourth running bond, to be discharged by the payment of \$199.71
Late in your Baliwick, you cause to be made \$ 399.42 with legal interest thereon from the 17 day of
November 1879, till payment, which

Lately in our Circuit Court of Lee County have recovered against them by suit for Motion on Bond
also \$ 3.27 which to the said Hagan & Pridemore

in our Court were adjudged for their costs in that behalf expended, whereof the said
Leacy, Anderson & Burgess are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at
the Courthouse on the first Monday in February next to render to the said Hagan &

Pridemore of the Debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 15th
day of Decr, 1879, in the 10 4 year of the Commonwealth.

James W. Orr CLERK.

A Copy Testo.

J. A. Hyatt Clerk

61.77
81.50
\$3.27

Trance Miles by the hands of
 Received of S. S. Surgeon for, for P. H.
 Livacy thirty dollars on the within five
 March 17/1880 Hagaw & Pridemore

P. H. Levacy paid me Feb 17/1880
 the sum of thirty dollars
 but not affect 3 Cms

Hagaw & Pridemore, Acopy Lest
 S. H. Hagaw

HAC

871

"100"

Hagaw & Pridemore

303 1/2

S. H. Levacy et al

No security & no interest

Feb 17/1880

120

Acopy Lest
 S. H. Hagaw

See for Copy 40.

March 23rd 1874

Received of A R

An aerson Twenty five
Dollars and also on

The 16th day of May
1874 Sixty Two Dollars
or Forty Three cents on

an Execution in my
hands in favor of James
R. Ebel for the benefit
of Madison R. Graham

Including Pre Jrs all
Costs if no mistake is not
made an Execution against
William H. Sago and
his assigns

Wm A. Baker

As for L. S. Hamilton S. S. C.

J. R. Neill for
1873 Recd

Sage & Son

A. R. Anderson

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of

Wm W. Sage, John D. Sims
A. R. Surgenor, A. R. Anderson, James W. Lee, S. S. Surgenor, Wm. J. Miller

Late in your Baliwick, you cause to be made \$ 7210 with legal interest thereon from the 21st day of October 1873, till payment, which James R. Vaell for the benefit of Madison K. Graham

Lately in our County Court of Lee County ha recovered against them by suit for a fine also \$ 929 which to the said Vaell for &c

in our Court were adjudged for his costs in that behalf expended, whereof the said Sage et als are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the Courthouse on the first Monday in June to render to the said Graham

of the fine and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 11th day of April 1874, in the 10th 1874 year of the Commonwealth

John R. Gibson CLERK.

John R. Gibson Clerk.

\$ 3.29
2.50
3.50
\$ 9.29

No 7 (32)

HVP

James R. Nell for &c.

vs } Li Pa

Wm. M. Luge et als

June Rules 1874

The within satisfied
in full and the money
paid to the plaintiff
and att. May 18 1874

W. A. M. Baker

Es. for C. L. Hamblin S. L. C.

A copy Test John R. Gibson
clerk

Witness to the said

(10)

Fee for this copy 20^{cts}

Record of A. R. Anderson #25. March 23rd 1874
Record of A. R. Anderson 6243 May 16 " "

The Commonwealth of Virginia,

To the Sheriff of Lee County---Greeting:

WE COMMAND YOU, That, of the goods and chattels of

*S. H. Levacy, A. R. Anderson
& S. S. Surgenes*

Late in your bailiwick, you cause to be made \$ *399.42* the penalty of a Forthcoming Bond, to be discharged by the payment of \$ *199.71*, with legal interest thereon, from the *17th* day of *November* 18*79*, till payment, which *Hagan & Pridemore*

Circuit
Lately in our County Court for Lee County has recovered against *them* by motion on said Bond; also \$ *3.85* which to the said *Hagan & Pridemore*

In our said Court were adjudged for *their* costs in that behalf expended, whereof the said *Levacy, Anderson and Surgenes* are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court, at the Court-House on the first Monday in *July* next to render to the said *Hagan & Pridemore* of the *2nd*, and costs aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-house, this *3rd* day of *April* 18*80*, in the 10*4* year of the Commonwealth.

62.85-
\$ 1.60
385-

James W. Orr CLERK.
Copy Teste
J. H. Hyatt *Deputy*

Subject to a credit of \$30.00 paid Feby 17 1880
\$30.00 paid March 1st 1880 see receipt on
Li Ha returnable to Feby Rules 1880.

Or Cash Paid by A. R. Anderson thirty dollars
May 15th 1880. A Copy Teste.

J. Als Hyatt
Clerk

1440

Agaww Anderson
vs Li Ha

S. A. Leeway et al.
No security to be taken

July Rules 1880

Weld up by the order
of the Judge

August 25 1880

Francis Miles ss.

A Copy Teste J. Als Hyatt
Clerk

121

See for Copy 40

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of

Wm. W. Sage, John D. Sims, A. R. Surquess, A. R. Anderson, Jas. Morley, Geo B. Milbourn, E. S. Surquess, John W. Bailey, James F. Jones, Wm. Miller is discharged with

Late in your Baliwick, you cause to be made \$ *3000.00* with legal interest thereon from the *first* day of

Decr. 1870, till payment, which *The Commonwealth of Virginia for*

Sammy C. Edmonson *Exr of Wm B Edmonson deceased*

Lately in our *circuit* Court of Lee County has recovered against *them* by suit for *Debt*

also \$ *38.02* which to the said *Commonwealth for &c*

in our Court were adjudged for *her* costs in that behalf expended, whereof the said

Sage et al are
Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at

the Courthouse on the first Monday in *Febuary next* to render to the said *Sammy C. Ed*

monson of the *Debt* and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this

day of *Decr.* 18 *80*, in the 10 *6* year of the Commonwealth

James W. Orr CLERK.

6 12.5-2
2.50 Cost in Court of
3.00 Appeals. 730.00
18.02

Copy Lists

J. A. C. Hyatt Clerk

Recd of Thos J. Ely D.S. \$ 10.20 my fee Aug 15th 1878
James M. Orr Clerk

Recd of Thos J. Ely D.S. Eighty five dollars on the
within for this 15th day of Aug 1878

C. L. Duncan & Co for
James C. Edmonson & Co

Attest J. H. Hyatt Clerk

123)

(8)

(6. m + 0)

15"

Voucher 112

The Commonwealth for vs
J. C. Edmonson & Co
vs J. H. Hyatt.

Wm. M. Sage et al

February Rules 1881.

Recd. this Execution from the
Clerk's office at 3 o'clock
P. M. on 15th Dec. 1880
J. H. Miles & Co

Attested by J. H. Hyatt Clerk
1 Brown Horse & 1 Black
Horse & 3 Bay Mules the
property of J. H. Surgeon
& delivered to J. M. Moneyham
to be kept by him, until the
day of sale which is fixed
for the 1st day of Feb'y 1881
of the Lee County Court this
7th day of Feb'y 1881.

J. H. Miles & Co for
No. 100, J. H. Ely & Co.
Attest J. H. Hyatt Clerk

Attest J. H. Hyatt Clerk
James M. Orr

" Feb'y 28th 1881 Cash 1881

Satisfied as appears by above certificate

" Jan'y 7th 1881 by Cash of J. H. Surgeon & Co
" Feb'y 19th 1881 " paid to C. L. Duncan by
M. D. Richmond for J. H. Surgeon - \$ 249.50

14.34

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of Mr. W. Sage, late Sheriff of Lee County, and

late in your Baliwick, you cause to be made \$ 71.22 with legal interest thereon from the 6th day of

June 1871, till payment, which Charles Daugherty, Surviving partner
of the late firm of Daugherty & Beatty

Lately in our County Court of Lee County has recovered against them ^{on motion} by suit for on Sheriff's Bond
also \$ 12.13 which to the said Daugherty, Survivor as aforesaid

in our Court, were adjudged for his costs in that behalf expended, whereof the said
Sage, Sheriff as aforesaid & this said securities are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at
the Courthouse on the first Monday in February 1872 to render to the said Daugherty, Survivor as
aforesaid of the debt and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 8th
day of December 1871, in the 10th year of the Commonwealth

James W. Orr CLERK.

Teste John R. Gibson clerk

6.213
a 250
\$ 7.50
12.13

No 6 7 262

Chas Daugherty surr²

vs } Li. La

W. H. Sage Late Sheriff
to security to be taken

February 1872

executed by him on one yellow
mare one black horse one Bay horse

the property of William H. Sage to
satisfy an execution in my
hands in favor of J. M. Beatty
Esq. Jan. 1872

W. A. M. Baker Deft. 1872

The within Li. La. satisfied
by G. S. Dickinson A. B. Langman
J. W. H. Bunday and all cost and
fees paid and receipt for the same

W. A. M. Baker Deft.

G. S. Dickinson A. B. Langman

104

Copy

W. A. M. Baker Deft.

See for this copy 20c

Recd of Wm. A. M. Baker D.S. \$21.50 my fee in this Li. La.

March 26 1872

Received of W. A. M. Baker D.S. \$21.50 my fee in this Li. La.
in satisfaction of the Li. La. in this Li. La.
J. M. Beatty vs Chas. Daugherty
J. M. Beatty vs Chas. Daugherty

Received of ~~James H. Conner~~ A. R. Surgenor, Fifty
dollars, on an execution in my hands in favor of
John M. Whitehead for Charles Daugherty against
said A. R. Surgenor & others. This March 8th 1878.

Thomas J. Ely D & for.
Thos J Ely Sec

Thos J Ely. D.S.
Lo { Recd for \$50.00
A.R. Surgenor.

Part duplicate
of Voucher
106

The Commonwealth of Virginia,

To the Sheriff of Lee County---Greeting:

WE COMMAND YOU, That, of the goods and chattels of

*S. S. Surgenor, S. H. Levacy
A. R. Surgenor & Thomas McPherson*

Late in your bailiwick, you cause to be made \$ *794.86*

the penalty of a Forthcoming Bond, to be discharged

by the payment of \$ *497.15*

, with legal interest thereon, from the *28th* day of *July*

18*77*, till payment, which *John M. Whitehead for Charles Daugherty
Survivor, &c.*

Lately in our ^{*Circuit*} County Court for Lee County has recovered against *them* by motion on said Bond; also \$ *3.35*
which to the said *Whitehead &c.*

In our said Court were adjudged for *his* costs in that behalf expended, whereof the said *Surgenor
Levacy, Surgenor & McPherson* are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court, at the
Court-House on the first Monday in *March* next to render to the said *Daugherty*
of the *Debt*, and costs aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-house, this *22^d*
day of *Decr* 18 *77*, in the 10*2^d* year of the Commonwealth.

\$ 135-

\$ 208

\$ 3.35

A copy Teste John R. Gibson **CLERK.**

Recd of Thos J. Ely S.S. for Thos S. Ely S.L.C.
One hundred Dollars January 27-1878.

C. Daugherty

Received of Thomas J. Ely S.S. for Thos S. Ely S.L.C.
Two hundred and fifty four dollars and fifty
four cents on the within Fi. Fa. this March 31-1878.

Wm A. on atty. for

Charles Daugherty Junr

No - 7 - 91. 1000
John M. Whitehead for
vs Fi Fa
S. S. Surgenor et al.
No security to be taken
March Rules 1878

Executed as per receipts
endorsed.

T. J. Ely S.S.
for T. S. Ely S.L.C.

A copy
Testy Jno R. Gilson
106 Clk

106

Fee for this copy 20^{cts}

Recd: Decr 22nd 1877 of A. R. Surgenor on the within
Execution Ten Dollars.
1878 On 31st 1878 paid \$500 by the hands of J. M. on
the 7 1878 of A. R. Surgenor one hundred
Dollars, for by cash March 4th 1878
three hundred & twenty seven Dollars
\$327.00

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of

Wm W. Luge, John D. Lins
A. R. Surgenor, James W. Worley, A. R. Anderson, S. Surgenor
& Wm. P. Miller,
Late in your Baliwick, you cause to be made \$ *44.76* with legal interest thereon from the *2nd* day of *October* 18*73*, till payment, which *A. J. Wilson*

Lately in our *County* Court of Lee County has recovered against *them* by suit for *fine* also \$ *9.29* which to the said *Wilson* in our Court were adjudged for *fine* costs in that behalf expended, whereof the said *Surge et als are*

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the Courthouse on the first Monday in *June next* to render to the said *Wilson* of the *fine* and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this *11th* day of *April* 18*74*, in the 10-*78* year of the Commonwealth.

John R. Gibson CLERK.

63.28
9.29
73.57
73.57

Recd
Teste John R. Gibson clerk

No. (33) 1248

A. J. Wilson
883 Li Ha

W. W. Sage et al.
No security to be taken

June Reels 1874

She within the Li Ha
satisfied in full int
principal and cost
March 16-1874

W. A. M. Baker D.S.
d.S. for C. L. Hambleton

Acqy

Teste J. R. Wilson et al.

109

See for this copy 206

For the within by each \$38.00 March 16-1874
by James W. H. W. H.

Acqy

Teste J. R. Wilson et al.

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff of Lee County, Greeting:

We Command You that of the Goods and Chattles of S. Senger

Late in your Baliwick. you cause to be made \$ 148.53 with legal interest thereon from the 15 day of July 1871, till payment, which John B. West for Charles Daugherty

Lately in our County Court of Lee County ha recovered against him Motion by suit for fore sale also \$ 6.38 which to the said West for

in our Court were adjudged for his costs in that behalf expended, whereof the said

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the Courthouse on the first Monday in Nov to render to the said Daugherty

as above of the Sept and costs as aforesaid.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Courthouse, this 30 day of August 1872, in the 10th year of the Commonwealth

James W. Orr CLERK.

John B. West

6. 2.38
3. 2.53
8. 1.58
\$ 6.38

1871 July 14 - 20888

John R. West for &c

vs The Pa

No Security to be taken

Executed by the

Ray Italian the dignity of

the within the

Oct 15 1872

N. M. Bates

S. J. B. B. B. B.

of the

and costs as of

to render to the

of the

and costs as of

to render to the

of the

and costs as of

to render to the

of the

and costs as of

to render to the

of the

and costs as of

to render to the

Wm W. Sage late Sheriff of Lee County and John D. Sims, A. R. Anderson, James Worley, John Milbourn, S. S. Surgener, George B. Milbourn, John W. Bailey, James H. Jones, Wm. P. Miller, A. R. Surgener, survivors of yourselves and Daniel S. Dickinson deceased, securities of the said Wm W. Sage late Sheriff as aforesaid in his official bond,

Gentlemen

Whereas there issued from the clerk's office of the County Court, of Lee County on the 22 December 1870, a fieri facias made returnable, to the first monday in February 1871, against Abram R. Surgener and in my favor, for the sum of \$63.18 and legal interest thereon from the 26 day of December 1858, and \$8.35 costs and was placed in the hands of you the said Sage Sheriff as aforesaid for collection, and which was by you on the first day of Feb 1871, as appears by your return thereon endorsed, levied on by you on two horses and two mules, and was before the sale of said property by you, by you the said Sage Sheriff as aforesaid returned to the clerk's office of said Court endorsed not sold your the said Sage's office having expired, and whereas, afterward on the 1st day of July 1872, there issued from the clerk's office of the said County Court, a *viniditione* expensas, directed to, and placed in, the hands of you the said Sage late Sheriff as aforesaid, directed, commanding &

F. M. Logan

Mr. W. Sage,

John D. Sumner

A. R. Andersen

P. d. longirostris

Wm. P. Miller

Drummond

Gave for \$70.00 fine with int from the day till paid
 And the costs

Oct 21/83.

Received of Joseph H Bunday
Three hundred and Sixty Seven
Dollars & Thirty Seven cts
On an Execution a gainst
William W Sagar ^{his} Securities
in favor of John W Whithead
for the benefit of Daugherty
& Beatz. Said Murchins stated
by the above named
Feb 17th 1872

Wm Bahradas
per L. S. Hamblen &c

W. A. Bunker
Receipt

103

Geo. A. Bunker

107

130
100

80
10

965
65
1030

108
1130
238

100

163
83
4

448
12

103
12
1142
3
6

etc.

Aug the 7, 1876 Received Aug of J. H. Brandy
\$16.00 on an execution in my hands
for collection against Wm W Sage and his associates
J. B. Scott Ds for J. S. Ely D. C.

Received of Joseph H. Bundy one of the Securities of Wm H. Sage late
Collector of Taxes & County Sines for Lee County for the year 1870.
his note for (\$1000) bearing interest from the 13th of July 1871 which
is a Settlement in full of a claim for that sum allowed me
by the board of Supervisors for said County for the year 1870 for
my services as Judge of elections March 31st 1873.

James D. Morgan

Recd of Joseph H Bundy One Hundred
and Fifty Dollars to be Credited on an
Equation in my Hands in favor of John M
Whitcher for \$1 (25) and Bundy also as security
For Mr W. Sage late Sheriff this Dec. 2nd 1876,
Thos S. Edg. L. L. C.

Thos. E. S. Co.
to { Receipt
J. H. Bundy

Reception.
Execution
against W.W.
Lague

.367.57
150.00
10.00
16.00
30.85
574.42

Joseph H. Bundy

vs. { Receipts

Wm. W. Sage & al

Statement showing the amount to be recovered
by each solvent security against each of his
co-solvent securities, in each and all
the bonds as of June 13th 1881.

A. R. Surgen should recover as follows:

From L. M. Hill on "All" bonds	\$ 71 77
" Wm P. Miller No. 4 \$39.30. No 5 \$582.36.	
No. 4. 5 & 6 \$8.33 1/2, "All" bonds \$51.01 =	681 00
" A. R. Anderson No. 5	243 30
" S. S. Surgen No. 5 \$431.78. No 6 \$192.45	
"All" \$13.53 =	637 76
" P. H. Linsay No 6	95 21
" S. H. Linsay No 6 \$249.57 No. 4. 5 & 6 \$8.33 1/2 =	257 92
" D. Gobbler No. 4. 5 & 6 \$8.33 1/2 "All" \$46.01 =	54 34
" J. M. Audis No. 4 5 & 6 \$8.33 1/2 "All" \$51.01 =	59 34
" J. Dalton No. 4. 5 & 6 \$8.33 1/2 "All" \$51.01	59 34
" J. H. Bundy No. 4. 5 & 6	8 33 1/2
" Wm W. Donald "All"	51 01
" John A. Moore "All"	51 01
Total	\$ 2290 33
over	

John A. Moore should recover as follows: -		¢
From S. H. Liversay No 2		9 94
" A. R. Surgen No 2		45 58
" Wm P. Miller No 2		45 58
Total		\$101 10

S. H. Liversay should recover as follows: -	
From E. M. Hill No 4	24 48
" P. H. Liversay "All"	13 76
" Joseph A. Bundy "All"	13 39
" S. S. Surgen "All"	14
Total	57 77

Jonathan Dalton should recover as follows:	
From Wm P. Miller No 4	27 27
" Dickinson Gobble No 4	66 57
" J. M. Andis No 4	66 57
Total	160 41

Joseph Bundy should recover as follows:	
From Wm P. Miller No 6	342 30
" P. H. Liversay No 6	123 90
Total	466 20

S. S. Surgeon should recover as follows:

From. C. M. Hill Nos 4. 5-76	7	78
" Wm. P. Miller Nos 4. 5-76	7	78
" Sickenon Gobble Nos 4. 5-76	7	78
" S. H. Liveray Nos 4. 5-76	7	78
" J. M. Audis Nos 4. 5-76	7	78
" Jonathan Dalton Nos 4. 5-76	7	78
" J. H. Bundy Nos 4. 5-76	7	78
Total	54	46

A. R. Anderson should recover as follows: —

From S. S. Surgeon Alb	17	79
" C. M. Hill Nos 4. 5-76	7	06
" Wm. P. Miller Nos 4. 5-76	7	06
" Sickenon Gobble Nos 4. 5-76	7	06
" S. H. Liveray Nos 4. 5-76	7	06
" J. M. Audis Nos 4. 5-76	7	06
" Jonathan Dalton Nos 4. 5-76	7	06
" Jos. H. Bundy Nos 4. 5-76	7	06
Total	67	21

Statement of debts
to be recovered by Sol-
vent securities against
Solvent Securities.

X

Received of S. S. Surgenor fifty dollars
to be credited upon the claim (Judgements),
in favor of the Commonwealth against
Wm W. Sage late Sheriff of Lee county
and his sureties, as such of whom said
Surgenor is one

Also received of said S. S. Surgenor
for P. H. Levacy on the same claim &
to be credited in the same way the sum
of fifty dollars, and received at
sametime from said S. S. Surgenor for
S. R. Anderson on the same account & to
be credited upon the same claim the sum
of fifty dollars - but also received from
S. H. Levacy, to be credited on the same
claim in the same way the further sum
of fifty dollars. This August 29. 1877.

Hagan & Pridemore
Atty for the Auditor -

Hagan & Pretemore

To & Receipts 200

S. S. Luginer et al.

Voucher
2 Repts

"A"

Leomuller

Bond 5

P. H. L. Bond 6.

all Bonds

papers
of
Filed in
here on
several persons
Look in for
your self
June 5 1878

A. R. Surgenor
vs E. Vauclairs 2nd Report.
Am W Sage et als

Virginia Lee county to wit
 This day A. L. Pridemore personally
 appeared before me and made
 oath, that on or about Sept 5th 1877
 that S. S. Surgenner paid him for the
 Auditor of Public account, as one
 of the securities of W. W. Sage late
 Sheriff of Lee county, the sum of \$100-
 fifty of which was for himself and
 fifty as he paid for P. H. Levacy -
 About the same time A. R. Surgenner
 paid him on like account \$ 50.00
 and S. H. Levacy the like sum
 on the same account. . . . 50.00
 And as affiant recollects James F.
 Jones paid or in some way arranged
 the like sum on the same account: 50
 A. R. Surgenner in the same way
 paid him the sum of . 100
 and Le. Mr. Hill on like account
 paid him the sum of . 20
 making in all the sum of \$ 370.00
 This sum of money was used by me by
 the direction of these parties, was used in
 the purchase of Va Consol Bonds, which was
 purchased by me from Lewis Johnson & Co
 Bankers in the City of Washington and was
 received from them as by their account shown

on the 5th day of Nov. 1877, and which account
so paid by me was as follows.

\$600 Va Consols at $6\frac{1}{8}$	\$366.75
freight	.25
Corns $\frac{1}{4}$	<u>1.50</u>
	368.50

I at the same time paid of my own
money as appears by the auditors receipt
a sufficient sum to purchase in
Coupons the sum of,

31.07

as a premium on Coupons which
I suppose were attached to said
bonds at all events on the 26th

Nov. 1877, I paid in said bonds or
Coupons for said securities and got for
them on that day a receipt for \$631.07

Some time previous to Jan. 1879. Mr
C. J. Duncan paid me \$100 for
Jonathan Salters one of said securities
\$100 in cash with this I bought from
the same Bankers 23 Jan. 1879 ~~\$200~~ 2
\$100 Consol Bonds for said securities which
cost me the sum of \$118.40
The over plus of the said \$100. is also
due me.

A. L. Prodemor &
Statement of Payments
to Auditor. &c

275-

Amount \$570.00

Voucher from
A. to F.

One day after date we and each of us bind our
selves here to pay Morison & Duncan fifteen
dollars value received and as to this obligation
we each waive the benefit of our homestead
exemption. Witness our hands and

21st day of May 1877

A. R. Anderson (Real)
James Worley (Real)

Aug 4. 1881

Int on the within 3.78

Com 90

Const Cost 50

Inst Cost 25

Principle 15.00

20.43

15.00
80.51

(9)

A. R. Anderson

To B. Note 15.00

M + D

On the 21st day of May 1877. as I see from the date of the note, James Worley and A.R. Anderson executed a note to Morrison & Duncan for the sum of fifteen dollars, said note was executed for professional services, rendered as follows. a judgment had been rendered in favor of the Commonwealth of Virginia against William W. Sage late Sheriff &c. and his securities in bond no 5, for

A.R. Anderson, & James Worley were two of the securities in said bond, and they believed that said judgment had been rendered against the securities in the wrong bond they believing that said judgment should have been rendered on bond No 6. & not on bond no 5. they further believed that said judgment was wrong in other particulars, one of which was the date at which said judgment began to bear interest, and thus believing they employed Judge Morrison & myself to prepare a notice to correct said judgment, we did prepare said notice and forwarded it to Richmond, had it served on the Auditor of public accounts, and no further notice was afterwards taken of it so far.

as I know. This is the consideration and services for which said note was executed by said Anderson & Worley.

A short time after the execution of the above note several of the sureties of Wm W Sage late Sheriff to, at the law office of M B D Lane employed Judge Lane & myself to examine the legality cause of A. M. Ely for &c, vs W W Sage & others to see if said cause could be successfully reviewed, for which services they agreed to pay and did pay us the sum of thirty five dollars but I do not recollect who all joined in said payments nor do I remember the sums paid by each, as a result of this examination the bill of review was filed and following that the cross bill, in which the present account is being taken,

C. T. Duncan,

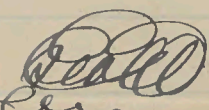
Sworn to before me
County Clerk.

C. T. Duncan
Affidavit.

Bound. 5-

Duncan & Co
Legal Reports

Twelve months after date for value
received I promise to pay R. A. Ayer
Ten dollars, and if there is no judgment
entered against me in favor of the Com-
monwealth of Virginia on a bond I
am in as surety for W. W. Sage late
sheriff of Lu County Va upon which
there has heretofore been rendered a
judgment against said Sage A. R.
Surgeon to them, and upon which no
judgment has been entered against
me, until the statute of limitation
shall bar a recovery upon said bond
then I am to pay said Ayer the further
sum of fifteen dollars and I
hereby waive the benefit of my
homestead exemption as to this debt
which is to bear interest from date
witness **my hand & seal** this
the 2nd day of June 1879

J. H. Lewis 

Test: Wm. A. Orr.

1882 March 28 By cash \$20.00 to R. A. Ayers & by him
paid to P. B. Cecil

P. B. Cecil

1882 April 11 by cash \$5.00 paid to P. B. Cecil the note
having been assigned to him by R. A. Ayers & receipt given

P. B. Cecil

S. H. Clevley
to 3 note 200
R. A. Ayers

vacated

2" Report -

by "B"

"Banc 4"

Receiver of James L. Jones fifty dollars
to be credited as a judgment in favor
of the Commonwealth against W. W. Sage
sheriff of Lee County at his secu-
rities of whom said Jones is one.

This Sept 3. 1877

Hogan & Belmore
attys for auditor.

(H. E.) with

J. J. Jones answers

A. I. Pardon
To Receipt
~~\$50.00~~
No. 4 7140ms
\$50.00

Nashua 2 Rups.
"4"

Bard 5-

Received of S. R. Surgenor, one hundred
dollars to be credited on judgment in
the name of the commonwealth, against
Wm W. Sage late sheriff of Lee county
and his securities of whom said Surgenor
is one. This Sept 3^d 1877.

Hazan Prentiss
Atty for Auditors.

Hagan & Pridemore

202 Receipt #100.

A.R. Surgenor

Voucher 2 Rpt.

"J"

~~4.5760~~

Band 4

22 120 121

4. 13 30
120
7.20
106.00
233.20

Commonwealth of Virginia,

OFFICE OF THE AUDITOR OF PUBLIC ACCOUNTS,

Richmond,

March 12, 1879

Received of Jonathan Dalton, one of the
sureties of W W Sage, late Sheriff of Lee
County, the following Va. bonds, on account
of the judgment against said Sage and
Sureties

Registered bond No 4430, for One hundred dollars.

" " " 4431 " One hundred dollars

Wm F. Ryman.
Aud. Pub. Accts.

⁴
Jonathan Dutton
from } Receipts
Arch. Pub. Accts

Voucher
2. Refront-
"6"

~~4.5.7.8~~

Bands 4

Eight Months after date, we or either of us promise to pay Hagan & Pridemore the just and full sum of two hundred dollars, and as to this debt, we hereby waive our homestead exemptions - This note is for services in the various matters relative to us as the securities of William W. Sage, late Sheriff of Lee County Va. and in all such matters the said Hagan & Pridemore, are to represent our interests - Except they are to hereafter to be permitted to enforce a Judgment in their hands for collection against said W. Sage in favor of A. M. Ely survivor to & now assigned to Patrick Hagan, and they also reserve the power to represent the Auditor of Public Accounts, in any matters in which he is or may be interested and also to prosecute any claim they have heretofore been employed in adversely to us. But in all other matters to represent us, to make all calculations as between us and if any difference arises between us and any of the other securities then they are to represent the undersigned,

Given under our hands & seals this 18th day of October 1875 -

James. Worley Secy

John Bolling Secy

Joseph H. Bundy Secy

Wm. P. Miller Secy

Sanders H. Lersey Secy

A. R. Surgeur Secy

A. M. Ely Secy

Stephen Surgeur Secy

D. H. Linsay Secy

A Copy Test:

J. A. Hyatt's clerk

Credit the within note, by assignment on
Samuel Poter Sixty-four Dollars & 4^c
December 4th 1878. Hagan & Pridemore

The above was paid ^{for} Pridemore
us by A. R. Surgeson
A. L. Pridemore

Wm W. Sage, Securities

A. R. Surgeson et al

\$ 34200. 00

Hagan & Pridemore

all Bonds

118th

Free for copy .30%

Received of Charles M. Hill one of the
Securities of Wm. W. Sage late sheriff of Lee
County the sum of (\$20) twenty dollars to be
credited on Judgements in favor of the
Commonwealth vs said Sage & his Securities.
This Sept. 7: 1877.

Hayward Pickensmore
att'y for Rec'ditor.

L. M. Hill one of Sages
survives

From } Receipt \$20.00

Hagan & Pademore for
Auditor.

10

Hagan & Pademore

200 Receipt (\$20)

L. M. Hill

Vouching in 2 Repts.

"E"

Book 4

March 20th
1873.

in circuit court
city of Richmond

The Commonwealth

vs

Wm W. Sage Sheriff of Lee Co. Va John D. Sims
Aaron R. Anderson, James Morley, Stephen S. Surgenor
George B. Milbourn, John W. Bailey, James D. Jones.
William P. Miller, Abraham R. Surgenor, and Daniel
S. Dickinson his Sureties. all of Lee County Va. Defts

No 5.

Plff.

Upon a motion instituted
and prosecuted by the
Auditor of Public
Accounts,

Judgment in favor of the Commonwealth against the defendants for Two thousand,
Six hundred and seventy three dollars and forty one cent, for the balance of the one fourth
of the land, property and capitation taxes of the year 1870. due from Wm W. Sage Sheriff of
Lee County Virginia, with interest thereon to be computed after the rate of twelve
percentum per annum from the 17th day of August 1870 until paid also three hundred
and one dollars and one cent for damages thereon according to law, and for the costs of
this motion, Commonwealth's costs \$13.08 645-

This Judgt. is Satisfied as to A. R. Surgenor A. R. Anderson. W. S. Surgenor as per
Certificate of Auditor recorded in deed Book No 18. page.

Teste James W. Orr clerk.
Copy Teste John R. Gibson clerk.

April 20th
1873.

March 20th
1873

in circuit
court, city
of Richmond

The Commonwealth

vs

William W. Sage Sheriff of Lee County Virginia an James
Morley, Charles M. Hill, John W. Bailey, A. R. Surgenor, William P.
Miller, Jonathan Dalton, Dickinson Cobble, S. H. Lorasay, J. J.
Bailey, G. B. Bell, John M. Andis and Wm W. Livesay his
Sureties. all of Lee County Va.

No 4.

Plff.

Upon a motion insti
tuted and prosecuted
by the Auditor of
Public Accounts,

Defts

Judgment in favor of the Commonwealth against the defendants for four hundred
and seventy seven dollars and sixty six cents, for the balance of three fourths of the
Capitation taxes of the year 1870. due from William W. Sage Sheriff of Lee County
Virginia, with interest thereon to be computed after the rate of twelve per centum per
annum from the 17th day of May 1870, until paid, also seventy four dollars and sixty
four cents for damage thereon according to law, and for the costs of this motion
Commonwealth's costs \$14.08.

This Judgt. is satisfied as to A. R. Surgenor, A. R. Anderson, W. S. Surgenor as per certificate
of Auditor recorded in Deed Book No 18. page.

May 24th 1877.

Teste James W. Orr clerk
Copy Teste John R. Gibson clerk

The Commonwealth
vs Body of Jurors

Wm M Sage Esq. et al

"A"

Small are 4-5 & Six
Large 5-6 &

Fee for these copies 40%

Received of A. R. Surgeon by S. S. Surgeon
eight dollars as a credit on a note of \$75.00
given by the directors of Sage. This is credited
on the note Sept 4th 1882.

Done & Richmond

Wancker

"L"

2. Report

Received of C. M. Hill. Five dollars
as a credit on a note of \$76.00 given by the
sureties in the Sage case. Sept 4th 1882,
This credited ~~in~~ note. Lane & Richmond

Anchor.

"M"

2^d Report-

7

Red of Dickenson Gobble Five Dollars as
a credit on a note of \$75-00 given by the
Sureties in the Sage Case. This is credited
on note Sept 4th 1882.

Lane & Richmond.

12

5

Recd of S. S. Surgenor Ten Dollars & fifty
five cents in wheat, \$4.53 of which was pd
by him, & \$6.00 by A. R. Anderson out of his credit
on note for \$16.00 in wheat, as a credit on
a \$75.00 note given by the sureties in the Sage
Case. All these credits are endorsed on note

Sept 4th 1882

Lane & Richardson,

Voucher "Jr."
Rept No 2.

Paid
Lam & Nicholas
for

Received of J. H. Jones three dollars and thirty five cents his
part of a fee which the securities of W. H. Saye gave to
Judge Lane & myself for examining the case of A. M. Ely for &c
against said W. H. Saye this 22nd day of June 1877.

C. L. Duncan

A.D. with
J. F. Jones answer

Voucher
"D."

C. Suncom
receipt
J. F. Jones
£335

Recd of A. N. Anderson in two parcels of wheat
Thirteen Dollars & fifty five cents, the bal
after \$3.00 deducted, & embodied in S. F. Levassey
receipt, as a credit on a \$75.00 note given
by the Secretaries in the Sage Case. These credits
are all entered on said note

Sept 4th 1882 Lane & Richmond

Vander. N.
2 Reports

8

Received of James H. Jones Livingston \$75.92
dollars to be credited on a fifa in
my hands against Mr Wm Sage. James H Jones
George B. Milbourne John Milbourne & John D.
Sims for \$60 - due to James R. Boel for
Madison K Graham. April 5th 1873.

C. J. Hambley S. L. &c

71.92
50.00
3.35
125.27

296
49

Vanderbilt Report
H.

Bond 57

(A B)

with J. F. Jones answer

James F. Jones

from Receipt.

C. L. Hamblin

Recd of S. H. Levasy. Five Dollars in money
\$3.25 in Wheat, and Three Dollars by A. R. Anderson
taken out of said Andersons Credits on note
for wheat he paid on same. as a credit on
a \$75.00 note given by the sureties in the
Sage Case. These Crts are all entered on note
Sept 4th 1882. Lane & Richmond

are 13
Voucher for 2
Reports
"R"

6

The note executed to Lane^{Richmond} was
executed by those signing ^{it} who were
Lays sureties as a fee in the bill
of Review and the cross bill, being
the present suit and the one which
opened the way to it, and is for
exactly the same services as the
fee paid me by Surgeon and
which was allowed me by Comr
Orr in his former report in this
case, Nov 25th 1882,

C. J. Duncan.

Sworn to before me.

Wm A. Orr Comr.

C. J. Duncan
affidavit

au Bonds

32.55-
8.25-
40.70

This paper includes
Vouchers of No 2

Received of A.R. Ingham by the hands
of S. S. Dargenner, twenty five dollars and from
Said S.S. Dargenner the like sum, each of which
is to be credited upon a judgement in favor
Thomas S. Elz admr &c for the use & benefit of
James T. Lloyd's adms now pending in the
Circuit Court of Lee County on a bill
in Chy. Aug. 24th 1881 and which judgement
was obtained against them as the separate & of Wm. S. Galt late Sheriff.

A. R. Ingham

Cys for Lloyd's adms.

Lloyd J. J. J.

182

Thos S. Ely Admr for Jas. L. Loyds Adms
258

S. S. Surgenor & A. R. Anderson

Oct, Term 1877. O. B. 156. Jrdgt for \$75.94 with
interest from July 22nd 1870 till paid & the costs.

B 2.02. A. 2.50 S. 1.00

1880 Feb 23rd Fi Fa. to F. Miles. To May R. 1880.

No property found. F. Miles D.S. for Thos S. Ely & L. L. L.

An abstract copy.

Teste John R. Gibson clerk

407 (113)

Thos. S. Ely Adm'r for
vs { Abstract copy of
Judgment.
S. S. Surgen et al

Band 5

A. R. Anderson
44. 64 & S. S.

Mr. Deane

This has not all been
paid A. R. Anderson
& S. S. Surgen being
Solant. I have
allowed it them.

equally ~~to~~ C. S.
and A. L. Pridemore
except in aid for
what they have
paid.

Fee for this copy 20¢

Vanopun 2 Rept-

Band 5

1881.	A. R. Surgener one of the securities of Wm W Bage late Sheriff of Lee County Va. and Receiver in the Chancery cause of himself against said Bage & als.	Dr.		
June 13th.	To his co securities			
	To amount received in said Chancery cause			
	from Wm W Bage & others, April 5th 1881.		\$ 775.00	
	" Interest thereon to June 13th 1881.			8.78
	" Amount received from C. J. Duncan			
	Comr. & Receiver in the D. S. Dickinson -			
	Decr 19th 1882, ^{\$338.57} less the interest from			
	June 13th 1881. to Decr 19th 1882. discounted			310.62
	Total sum collected by said Surgener.		\$ 1094.40	
	By commission thereon 5 + 2 per cent.		\$ 30.88	
	" amt paid or to be paid Morrison &			
	Duncan atty fees in Bill of review &			
	in this suit		125.00	
	" amt of the costs of this suit		175.00	330.88
	Balance to be applied to Bage's liabilities			\$ 763.52
	Which will give to bond to 1 (\$156.08)		17.94	
	And will " " " to 2. (182.32)		20.96	
	And will " " " to 4. (332.51)		35.20	
	And will " " " to 5. (3166.47)		364.00	
	And will " " " to 6. (2227.58)		256.05	
	And will give to bonds ^{for 4 & 5 =} (236.83)		27.20	
	And will " " " ^{- jointly} ^{for 4, 5 & 6 =} (366.71)		42.17	763.52

A. R. Sangerman

vs. { Remains acct

W. W. Sage & Co.

(A136)

W. R. Graham, W. B. Barker, Andrew J. Bailey,
Joseph Lowe & The estate of D. S. Dickinson dead.

1881.

To Mr McDonald their cosecurity

Dr.

June 13th. To this sum paid on Bond No 1, for Dage.

\$ 156.08

By amt to be received from Engineer Receiver

17.94

Leaving this sum to be apportioned

138.11

McDonald's share thereof is this sum. 23.015/6

Graham's " " " " " 23.015/6

Barker's " " " " " 23.015/6

Bailey's " " " " " 23.015/6

Lowe's " " " " " 23.015/6

Dickinson's Ests " " " " " 23.015/6 138.11

A. R. Surgenor

vs. { Statement of Band No. 1

W. H. Sage & Co.

(A. B. D.)

Wm R Graham, A. R. Surgener, Wymond Lambert,
 John W Bailey, Hiram H Brasier, Lewis Smiths Est,
 S. H. Leracy, John A Moore, Wm P Miller, Randolph
 Lee + Jonathan Dalton

1881.

June 13th. On account of liabilities on Bond to 2.

This sum paid by John A Moore on this bond.

146.68

By this sum to be paid him by A. R. Surgener receiving,

20.96

Balance after said payment

125.72

To this sum paid by S. H. Leracy on said bond

35.64

This sum to be apportioned among securities

\$161.36

Moore's share thereof is this sum

14.67

Leracy's " " " " "

14.67

Graham's " " " " "

14.67

Surgener's " " " " "

14.67

Lambert's " " " " "

14.67

Bailey's " " " " "

14.67

Brasier's " " " " "

14.67

Smiths Est's " " " " "

14.67

Miller's " " " " "

14.67

Lee's " " " " "

14.67

Dalton's " " " " "

14.67

161.36

Net liability of this bond, this sum

\$161.36

Moore's share thereof is this sum

\$32.27

Leracy's " " " " "

32.27

Surgener's " " " " "

32.27

Miller's " " " " "

32.27

Lee's " " " " "

32.27

161.36

Moore has paid

his share of loss is

Nae should pay to Moore

A. R. Sengener " " " "

Killer " " " "

\$125.72

32.27

32.27

32.27

28.90 125.72

O. H. Leracy has paid

his share of loss is

Killer should pay to him

35.64

32.27

3.37 35.64

A. R. Sengener

as { Statement of Bond No. 2

W. W. Sage tal

(A B E)

James Worley, Chas M Hill, John W Bailey, W. R. Graham, A. R. Surgener, W. P. Miller, Jonathan Dalton, Dickinson Goshlee, S. H. Leuacy, A. J. Bailey, Waymon Lambert, C. C. Bell, John M Andis, Wm W. Leuacy. Bond to 4. Nov 21st 1870.

June 13th	To A. R. Surgener paid on said bond.	\$ 123.30
	By amount retained by him as receiver	35.20
	Balance paid by said Surgener.	88.10
	Paid by S. H. Leuacy on said bond	66.05
	" " Jonathan Dalton " " "	713.50
	" " Chas M Hill " " "	29.66
	Total sum to be apportioned	297.31
	Surgener's share thereof is this sum	21.24
	Leuacy's " " " " "	21.24
	Dalton's " " " " "	21.24
	Hill's " " " " "	21.24
	Worley's " " " " "	21.24
	Bailey's " " " " "	21.24
	Graham's " " " " "	21.24
	Miller's " " " " "	21.24
	Goshlee's " " " " "	21.24
	Bailey A. J.'s " " " " "	21.24
	Lambert's " " " " "	21.24
	Bell's " " " " "	21.24
	Andis' " " " " "	21.24
	Leuacy Wm W.'s " " " " "	21.24 297.31

(Over.)

A. R. Surgenor

as { Statement of Bond No 4

W. W. Sagatal

(A B F)

John D Sims, A. R. Anderson, James Worley, John
 Milhourn, S. S. Surgener, George Milhourn, John W
 Bailey, James H Jones, Wm P Miller, A. R. Surgener, &
 1881. Daniel S Dickinsons Est. Bond No 6; May 19th 1870.

June 13 th , A. R. Anderson paid on said bond	\$124.38	
Same " Same	35.82	
Same " Same	39.90	
Same " Same	66.05	
Same " Same	44.64	
Same " Same	275.50	
Same on Same	8.28	594.57
Total sum paid by Anderson on Same		

George B Milhourn paid on said bond	95.57	95.57
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James Worley paid on said bond	82.40	
Same " Same	8.28	90.68
Total sum paid on same by Worley.		

A. R. Surgener paid on said bond	372.03	
Same " " Same	738.23	
Same " " Same	215.35	
Same " " Same	169.97	
Same " " Same	71.50	
Same " " Same	324.50	
Same " " Same	174.76	
	<u>\$2066.34</u>	
By amt to be retained by Surgener as receiver	364.50	1702.34

Carried over 2483.16

Brought over		\$2483.16
S. S. Surgener paid on said bond	\$ 39.90	
Same " " Same	66.05	
Same " " Same	<u>44.64</u>	
Total paid by said Surgener on said bond		150.59
James H Jones paid on said bond	168.72	168.72
Total amount to be apportioned to Solvent - Securities		<u>\$2802.47</u>

John D Sims' share thereof is	254.77	
A. R. Anderson's " " "	254.77	
James Worley " " "	254.77	
John Millhouse " " "	254.77	
S. S. Surgener " " "	254.77	
George B Millhouse " " "	254.77	
John W Bailey " " "	254.77	
James H Jones " " "	254.77	
Wm P Miller " " "	254.77	
A. R. Surgener " " "	254.77	
Dan'l S Dickinson " " "	<u>254.77</u>	<u>2802.47</u>

Net Sum to be apportioned to Solvent Securities <small>after deducting amounts by Millhouse Jones Worley now insolvent</small>		2802.47
A. R. Anderson's Share is	611.87 1/2	2447.50
S. S. Surgener's " "	611.87 1/2	
Wm P Miller's " "	611.87 1/2	
A. R. Surgener's " "	<u>611.87 1/2</u>	<u>2447.50</u>

A. R. Surgener has paid		\$1702.34
His share of losses is	\$611.87½	
• Wm P Miller must pay to him	611.87½	
• A. R. Anderson " " " "	17.30	
• S. S. Surgener " " " "	461.29	1702.34

A. R. Anderson's share of loss is		611.87½
• He has paid heretofore	594.57	
• Must pay to Surgener	17.30	611.87

• S. S. Surgener's share of loss is		611.87½
• He has paid heretofore	150.59	
• Must pay to A. R. Surgener	461.28	611.87

• Wm P Miller's share of loss is		611.87
• He must pay to A. R. Surgener	\$611.87	

A. R. Sargent

as { Statement of Bond No. 5

W. W. Sargent

(ABG)

John Milbourn, A. J. Bailey, Wm. P. Miller, S. H. Leracy,
 Wm. W. Leracy, A. R. Surgener, David S. Dickinsons Est.,
 Stephen S. Surgener, Joseph H. Brundy, J. M. Whitehead,
 John W. Bailey, A. M. Ely, P. H. Leracy, Alexander
 Nymn & Jonathan Dalton. — Bond No 6, Jan'y 18th 1871.

1881.

June 13th.

P. H. Leracy paid on said bond	\$ 123.19
A. R. Surgener " " " "	879.55-
J. H. Brundy " " " "	808.48
S. S. Surgener " " " "	149.86-
S. H. Leracy " " " "	92.71
D. S. Dickinsons Est " " " "	173.80
Gross sum to be apportioned this sum	\$2227.58

A. R. Surgener paid as above	\$ 879.55-
By amount retained by him as receiver	256.05-
Balance paid by said Surgener	623.50

Net sum to be apportioned to all securities \$1971.53

A. R. Surgener's share thereof is	131.43½
P. H. Leracy's " " "	131.43½
J. H. Brundy's " " "	131.43½
S. S. Surgener's " " "	131.43½
S. H. Leracy's " " "	131.43½
D. S. Dickinsons Ests " " "	131.43½
John Milbourns " " "	131.43½
A. J. Bailey's " " "	131.43½
Wm P Miller's " " "	131.43½

Sum to be apportioned brought over

\$1771.53

Wm W Leracy's share is	131.43 1/2
John M Whitehead's " "	131.43 1/2
John W Bailey's " "	131.43 1/2
A. M. Ely's " "	131.43 1/2
Alexander Wynn's " "	131.43 1/2
Jonathan Dalton's " "	131.43 1/2

Total sum to be apportioned among salient
after deducting amt paid by P. H. Leracy & D. S. Dickinson ^{Securities} _{not now -}
- insolvent

\$1771.53

276.99

\$1674.54

Wm P Miller's share is	334.91
S. H. Leracy's " "	334.91
A. R. Sargener's " "	334.91
S. S. Sargener's " "	334.91
Joseph H Bundy's " "	334.91
	1674.54

A. R. Sargener has paid

\$623.50

His share of loss is

334.91

S. S. Sargener must pay to him

185.06

W. P. Miller " " " "

103.53 623.50

Joseph H Bundy has paid

808.48

His share of loss is

334.91

S. H. Leracy must pay to him

242.20

Wm P Miller " " " "

231.37 808.48

A R Surgenor

vs. { Statement of Bond No 6

W W Sage et al

(A B H)

John D Sims, A.R. Anderson, James Warley, John
 Millesum, S.S. Surgeuer, George B. Millesum, John
 W Bailey, James H Jones, Wm P Miller, A.R. Surgeuer,
 D. S. Dickinson^{Est}, Chas M Hill, Wm R Graham,
 Jonathan Dalton, Dickinson Gahlele, S.H. Leracy,
 A.J. Bailey, Wayman Lambert, L.C. Bell, John
 M Andis & Wm W Leracy. Securities in Bonds

1881. Nos 4 & 5, Nov 2nd & May 19th 1870.

June 13th. A.R. Surgeuer paid on these bonds \$ 18.23
 Same " " " " 63.30

Total sum paid by said Surgeuer \$ 81.53
 By this sum to be retained by him as Receiver 27.20
 Balance paid by said Surgeuer. 54.33

S. S. Surgeuer paid on these bonds. 18.23
 Same on Same 54.10
 Same " Same 5.33
 Total sum paid by said Surgeuer 77.66

A.R. Anderson paid on these bonds 18.23
 Same " Same 54.41
 Total sum paid by said Anderson 72.64

Dickinson Gahlele paid on Same 5.00 5.00
 Total sum to be apportioned \$ 209.63

A.R. Surgeuer's share thereof is 9.98
 S.S. Surgeuer's " " " 9.98

(over)

A. R. Anderson's share thereof is			9.98
Dickinson Gohlles	"	"	9.98
John D Sims	"	"	9.98
James Worley's	"	"	9.98
John Millhous's	"	"	9.98
George B Millhous's	"	"	9.98
John W Baileys	"	"	9.98
James F Jones	"	"	9.98
Wm P. Miller's	"	"	9.98
D. S. Dickinson's Eats	"	"	9.98
Chas M Hills	"	"	9.98
Wm R Graham's	"	"	9.98
Jonathan Duttons	"	"	9.98
B. H. Leracy's	"	"	9.98
A. J. Bailey's	"	"	9.98
Waymon Lambert	"	"	9.98
E. C. Bell	"	"	9.98
John M Andis	"	"	9.98
Wm W Leracy	"	"	9.98
			<u>209.61</u>

Total net sum to be apportioned to Solvent - Securities			\$209.61
A. R. Anderson's share thereof is			26.20
S. S. Surgeners	"	"	26.20
Wm P Miller's	"	"	26.20
A. R. Surgeners	"	"	26.20
Chas M Hills	"	"	26.20
Dickinson Gohlle	"	"	26.20

S. H. Leracy's share thereof is	26.20	
John M Andis " " "	26.20	209.61

A. R. Sargener has paid		\$ 54.33
His share of loss is	26.20	
• Wm P Miller must pay to him	26.20	
• Dickinson Goble " " "	1.93	54.33

S. S. Sargener has paid		77.66
His share of loss is	26.20	
• S. H. Leracy must pay to him	26.20	
• Chas M Hill " " "	25.26	77.66

A. R. Anderson has paid		72.64
His share of loss is	26.20	
• John M Andis must pay him	26.20	
• Dickinson Goble " " "	19.27	
• Chas M Hill " " "	94	72.64

A. R. Surgenor

vs. { Statement of bonds N^o 4 & 5

W. W. Sage & Co.

(A. B. S.)

John D Sims, A. R. Anderson, James Worley, John
 Millbourn, S. S. Surgener, George B Millbourn, John
 W Bailey, James F Jones, Wm P Miller, A. R. Surgener,
 D. S. Dickinsons Est, Charles M Hill, Wm R Graham,
 Jonathan Dalton, Dickinson Gohlle, S. H. Leracy,
 A. J. Bailey, Waymon Lambert, L. C. Bell, John M
 Andis, Wm W Leracy, Joseph H Bundy, John M Whitehead,
 A. M. Ely, P. H. Leracy, Alexander Wynn, Securities

1881. in Bonds Nos 4, 5 & 6.

June 13th.	A. R. Surgener paid on these bonds.	\$121.64
	By this sum retained by him as receiver	42.17
	Bal. paid by said Surgener.	79.47
	S. H. Leracy paid on these bonds	65.00
	Same " " Same	13.25-
	P. H. Leracy paid on these bonds	37.25-
	A. R. Anderson paid on these bonds.	69.05-
	Joseph H Bundy paid on these bonds.	37.62
	S. S. Surgener paid on these bonds.	19.55-
	James F Jones paid on these bonds	3.35-
	Total sum to be apportioned among Securities	\$327.54
	A. R. Surgener's share is	12.48

Ant treat over

324.54

" " "	12.48
John D Sims' share is	12.48
A. R. Anderson's " "	12.48
James Worley's " "	12.48
John Millcoun's " "	12.48
S. L. Sargener's " "	12.48
George B Millcoun's " "	12.48
John W Bailey's " "	12.48
James H Jones' " "	12.48
Am P Millers " "	12.48
Joseph H Bunday's " "	12.48
D. S. Dickinson's Est " "	12.48
Chas M Hills " "	12.48
Am R Grahams " "	12.48
Jonathan Daltons " "	12.48
Dickinson Goldiles " "	12.48
S. H. Leracy's " "	12.48
A. J. Bailey's " "	12.48
Raymon Lamberts " "	12.48
C. C. Bells " "	12.48
John M Andis' " "	12.48
Am W Leracy's " "	12.48
John M Whiteheads " "	12.48
A. M. Elys " "	12.48
P. H. Leracy's " "	12.48
Alexander Wymis " "	12.48

324.54

Total sum to be apportioned to solvent & deductant to by James & Jones now insolvent - credits			324.54
A.R. Surgenor's share is		32.12	321.19
A.R. Anderson's	" "	32.12	
S.S. Surgenor's	" "	32.12	
Wm P Muller's	" "	32.12	
C.M. Hill's	" "	32.12	
Dickinson Gohlble's	" "	32.12	
S.H. Leracy's	" "	32.12	
John M Andis	" "	32.12	
Jos H Brandy's	" "	32.12	
P. H. Leracy's	" "	32.12	321.19

A.R. Surgenor has paid			79.47
His share in losses is		32.12	
S.S. Surgenor must pay to him		12.57	
Wm P Muller " " " "		32.12	
Dickinson Gohlble " " " "		2.66	79.47

A.R. Anderson has paid			69.05
His share in losses is		32.12	
C.M. Hill must pay to him		32.12	
Dickinson Gohlble " " " "		4.81	69.05

S.H. Leracy has paid			78.25
His share in losses is		32.12	
Dickinson Gohlble must pay to him		24.65	
John M Andis " " " "		21.48	78.25

P. H. Leracy has paid

His share in losses is

, John M Audis must pay to him

~~37.25~~

32.12

5.13 ~~37.25~~

Joseph H Brundy has paid

His part of losses is

, John M Audis must pay to him

37.62

32.12

5.50 ~~37.62~~

A R Senger

10.3 Statement of Bado 4,576.

W. W. Sager

(A. B.)

Statement showing the sums to be recovered, between solvent securities & omitting the insolvent ones, which is condensed from the several statements of liabilities on the several bonds, as of June 13th 1881.

Bond to 1.	Wm McDonald recovers vs	A. R. Surgener	\$ 17.94
" " 2.	John A Moore	" vs Same	20.96
" " "	Same	" " Same	32.27
" " "	Same	" vs Randall & Coe	32.27
" " "	Same	" vs Wm P Miller	28.90
			<u>144.40</u>

" " 2.	J. H. Leracy recovers vs	Wm P Miller	3.37
" " 4.	Same	" vs John M Andis	23.58
" " 4.5+6.	Same	" vs Same	21.48
" " 4.5+6.	Same	" vs Dickinson & Goble	24.65

Bond to 4.	A. R. Surgener recovers vs	Dickinson & Goble	42.47
" " 4+5.	Same	" vs Same	1.93
" " 4.5+6.	Same	" vs Same	2.66
" " 4.	Same	" vs John M Andis	3.16
" " 5.	Same	" vs Wm P Miller	611.87
" " 6.	Same	" vs Same	103.53
" " 4+5.	Same	" vs Same	26.20
" " 4.5+6.	Same	" vs Same	32.12
" " 5.	Same	" vs A. R. Anderson	17.30
" " 5.	Same	" vs J. S. Surgener	461.29
" " 6.	Same	" vs Same	185.06
" " 4.5+6.	Same	" vs Same	12.57

Bond to 4	Jonathan Dalton vs Wm P Miller	\$ 42.47
" " 4.	Same vs John M Audis	15.73
" " 4.	Same vs Lehas M Hill	12.81

Bond to 4+5	S. S. Surgenor vs S. H. Leracy	26.20
" " 4+5	Same vs C. M. Hill	25.26

Bonds 4+5	A. R. Anderson vs J. M. Audis	26.20
" 4+5	Same vs D. Goldile	19.27
" 4.5+6.	Same vs Same	4.81
" 4+5	Same vs C. M. Hill	.94
" 4.5+6.	Same vs Same	32.12

Bond to 6.	Joseph H Bundy vs S. H. Leracy	242.20
" " 6.	Same vs Wm P Miller	231.37
" 4.5+6.	Same vs John M Audis	5.50

Bonds 4.5+6.	P. H. Leracy vs John M Audis	5.13
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A R Surgenor

vs. } Statement General & final

W. W. Sage et al

(ABK)

The following statement is made to show how much each of the insolvent sureties in W. W. Sages several bonds ought to pay in order to bear their equal part of the loss sustained or borne by each bond, and the same to be paid to a receiver, and such sum as may be realized by such receiver, he should pay out equally to the solvent sureties in each bond, who have borne the burden of such bond by equalizing its liabilities among themselves

Bond No. 2

Bond No. 2. On this bond the following persons should pay to ~~St. Surgeon~~ ^{St. Surgeon} receiver the following sums.

	W. R. Graham	14	67
	Wayman Lambert	14	67
	John W. Bailey	14	67
x	H. H. Brasen	14	67
	Lewis Smith East	14	67
#	Jonathan Dutton	14	67

Fi Fi

And any sum which said ~~Surgeon~~ ^{Surgeon} may collect on these sums he will pay to John A. Moor, S. H. Seaway, A. R. Surgeon, Wm. P. Miller & Randolph Noe in equal proportions

Bond No. 4

On Bond No. 4 the following persons will pay ~~St. Surgeon~~ ^{St. Surgeon} receiver the following sums

x	James Worley	21	24
	John W. Bailey	21	24
	W. R. Graham	21	24
	A. J. Bailey	21	24
	Wayman Lambert	21	24
	C. C. Bell	21	24
	W. W. Seaway	21	24

And any sum which said ^{Surgener} ~~Dickinson~~ may realize on account of these sums he will pay out equally to Jonathan Dalton Dickinson Goble. S. H. Seaway. John M. Anolis, Charles McKill William P. Miller and A. R. Surgener.

Band No. 5 On Band No. 5 the following persons will pay the following sums to Mr. C. T. D. ~~Surgener~~ as receiver Trust

x	John D. Sims	254 77	
x	James Worley	254 77	Leaves \$90.68 now paid
	John Milbourn	254 77	
x	George B. Milbourn	254 77	Leaves \$95.57 now paid
	John W. Bailey	254 77	
	James F. Jones.	254 77	Leaves \$168.72 now paid
	D. S. Dickinsons Estate	254 77	

And any sum which Mr. ^{Surgener} ~~Dickinson~~ may collect on these sums he will pay to A. R. Anderson. S. D. Surgener Wm. P. Miller and A. R. Surgener in equal proportions

Band No. 6 On account of liabilities on Band No. 6. the following persons will pay the following sums to Mr. C. T. D. ~~Surgener~~ as receiver

x	P. H. Seaway.	131 43 1/2	Leaves \$123.19
	D. S. Dickinsons estate	131 43 1/2	Leaves \$173.80 now paid \$42.36 1/2
	John Milbourn	131 43 1/2	
+	A. J. Bailey	131 43 1/2	
	Wm. H. Seaway.	131 43 1/2	
	John M. Hutchins	131 43 1/2	
	John W. Bailey	131 43 1/2	
x	A. M. Ely	131 43 1/2	
+	Alexander Wagon	131 43 1/2	
x	Jonathan Dalton	131 43 1/2	Fi Ha

And any sum Mr. ~~Surgener~~ may realize hereon he will pay out to Wm. P. Miller. S. H. Seaway. A. R. Surgener S. D. Surgener Joseph H. Bundy in equal proportions.

Bonds No 4 & 5

On account of liabilities falling on Bonds 4 & 5. The following persons will pay the following sums to ~~St. Bernard~~ ^{St. Bernard} Receiver

John D. Sims	9	98
James Worley	9	98
John Melbourne	9	98
George B. Melbourne	9	98
John W. Bailey	9	98
James F. Jones	9	98
D. S. Dickinsons estate	9	98
Wm. R. Graham	9	98
Jonathan Dutton	9	98
A. J. Bailey	9	98
Waymond Lambert	9	98
E. B. Bell	9	98
Wm. W. Levasy	9	98

And any sum realized hereon ~~Mr. Dutton~~ ^{Surgener} will pay out the same to A. R. Anderson, S. B. Surgener, Wm. P. Miller, A. R. Surgener, Chas. M. Hill, Dickinson Gable, St. Levasy and John M. Andis in equal proportions;

Bonds No 4, 5 & 6

On account of liabilities falling on Bonds No. 4, 5 & 6. The following persons will pay the following sums to ~~St. Bernard~~ ^{St. Bernard} Receiver

John D. Sims	12	48
James Worley	12	48
John Melbourne	12	48
George B. Melbourne	12	48
John W. Bailey	12	48
Jas. F. Jones	12	48
D. S. Dickinsons estate	12	48

Levs \$3.35 paid by Jones

Wm. R. Graham

12 48

Jonathan Patton

12 48

A. J. Bailey

12 48

Waymond Lambert.

12 48

Lo. Co. Bell

12 48

Wm. W. Searcy

12 48

John M. Whitehead.

12 48

X A. M. Ely

12 48

Alexander Wynn.

12 48

And any sum which may be realized on these sums
Mr ^{Surgener} ~~Duncan~~ will pay to A. R. Surgener, A. R. Anderson
S. S. Surgener, W. P. Miller & M. Hill, Dickinson Gobble
S. H. Searcy, John M. Audis, Joseph H. Brandy & P. H. Searcy in
equal proportions:

A. R. Surgener

is } Statement of beneficiaries

W. W. Searcy & Co.

(A. B. L.)

Knows all men by these presents, That J. M^r W. Sage
of the County of Lee and State of Virginia for and in
consideration of six hundred and sixty dollars pay-
ed in liabilities for said Sage as public Officer,
doth grant, sell, bargain and convey unto James
Morley of the County of Lee and State of Virginia all
that certain parcel of land situated in the said
county lying and being on the South side of Mullins
Ridge; and described as follows: Beginning on a
white oak on the dividing line between said Sage
and a piece of land purchased by said Sage
of William Parsons on Campbells line on the top of
a ridge N 18 W to a stake in Taylors line S 50 W
with Taylors line 100 poles to a poplar. N 37 poles to
2 gums and white oak, thence leaving the Taylor
line and running with Russes S 3 E 134 poles to a
poplar and white oak thence N 82 W 27 poles to a
stake Russes Branch, thence down said branch
8 poles to Benjamin Hills line, thence E 2 poles
to two hickies and Maple, thence S 20. E 54 poles to a
stake, thence North 5 poles to a beech corner to Mark
Duff's land now Brasie's and McPherson's. Thence
N 45 E 14 poles to a white oak. Thence N 9 W 24 poles to two
white oaks two sour woods and a poplar. Thence N 34 E 93
poles to a white oak. Thence S 15 E 63 poles to a white oak
in Campbells line thence with his line N 23 E 121
poles to the Beginning. Containing one hundred acres
be the same more or less with its appurtenances.

also one other tract of land, Beginning on two small chestnut oaks, maple and sourwood a corner to said Sages land at a branch in the beaver hollow on Taylors line thence South 50 West with Taylors and Sages line 128 poles to a large poplar on the side of Hill thence ~~thence~~ with a divisional line between Henry Ferguson Deed, and said Sage to the top of said ridge to two chestnut oaks and black walnut thence eastwardly with the top of said ridge to said W. W. Sages land bought of Mrs Parsons Deed. thence S. with said Sages line to the Beginning containing fifty acres be the same more or less. To have and to hold the said two tracts or parcels of land ^{with all their} appurtenances to the said James Masley and his heirs forever to the sole use of him the said James Masley and his heirs forever. And the said W. W. Sage doth warrant and defend the said lands to the said James Masley against all other claims & by these presents and by these presents doth bargain and deliver unto the said James Masley the above named tracts of land with all their appurtenances to have and to hold forever. In witness whereof I have hereto affixed my name and seal this the 6th day of February 1872. The foregoing interlineation made before signing.

William W. Sage (Seal)

Lee County Court Clerks Office the 10th day of February 1872. The foregoing Indenture of bargain & sale for land between W. W. Sage of the first part and James Masley of the second part both of Lee County

Virginia was this day acknowledged before me by the said Sage to be his act and deed for the purpose therein mentioned and said deed & said deed being duly stamped is admitted to record.

Teste James W. Orr Clerk.

A copy. Teste James W. Orr Clerk.

W W Sage

To } copy of Deed
}

James Marley

Exhibit "D"

Truckee Cove, Va.
Oct. 23rd 94.

Mr. J. A. S. Hyatt,
Jonestown, Va.

Dear Sir:

Grandpa is very
sick and can not possibly
come down the 2nd to attend
to that matter. He is bedfast.

He will be down as
soon as he is able to come.

Yours Resp't.

Arthur Riddell

Fraley
us 3 Letter
Riddle

Octo, 23rd 1893.

J. A. Hyatt

50
4 68
1 25
2 40

A. R. Surgenor

Pelf

us.

In Cherry

William W. Sage & others. Defts.

Wm. McDonald and Andrew J. Bailey two of the
deft Sages Scurities in his bond as Sheriff, dated April
20th 1867 & John A. Moss and Randolph Vae two of
such securities on said Sages Bond, dated Nov. 18-1869,
and Russell J. Mideham, and Thomas S. Ely admt. of Heam-
Ely decd. two of the securities on said Sages bond dated
Dec. 20th 1869, except to the action of Commissioner
Wm. A. Orr. in charging and reporting the sum of \$365.80
as a charge on the securities in the 6 separate lands executed
by said Sage as such sheriff and collector of taxes, Because
they say, that neither they or any of their co. securities at any
time incurred any expense legally or properly chargeable on
said three lands or on any land or lands ^{in which they are interested}, And because there
is no evidence in the cause showing that these acceptors
and their co. obligors in said three lands, are in any way liable
for any part of said sum or any other sum in the way of
incidental charges resting upon them as securities in said three
lands

The above named exchangers, together with Aaron
Anderson, James F. Jones, Dickinson Hobble, Charles M.
Hill and James Worley, ^{further} exch^d to said Commission
Wm. A. Orr. Report in the cause generally

First because payments were made by these executors and others their co obligors on liabilities of said Sage as such Shff before his account and report was made of which he took no notice although the proof was before him.

Secondly Because these acceptors and others their co obligors since said account and report was made have paid out sundry Sums of Money on Sages liabilities and expenses incident thereto and growing out of that matter which ought to be adjusted therein before a decree is entered therein settling the rights of the parties, as is fully shown by papers hereinto submitted marked 1, 2, 3, 4, 5, 6, 7, 8, 9, & 10. And

Thirdly Because said report and exhibits therewith are too indefinite and uncertain to found a decree therein since all matters connected therewith has not been taken into the accounts by said commissioners

Agues & Morgan for Executors

William McDonald et al.

Ads. } Exceptions.

A. R. Surgenor

Wm Mc Donald & al

ads.

In Chancery.

A R Surgeson

The said William Mc Donald, and Andrew Bailey two of dft. Sages sureties in his official bond as Sheriff dated April 20- 1869, & John A. Mott and Randolph Voe two of such sureties in bond dated Nov. 18- 1869. And Russell J. Milham and Thos S Ely adm. of Hiram Ely dead, two of the sureties in said Sages bond dated Dec. 20th. 1869, except to the action of Commissioner Wm A. Orr. both as to his action in his first and second reports in this cause in charging and reporting the sum off as a joint charge on the sureties in the 6. Separate bonds executed by said Sage during his continuance in office as Sheriff of Lee County and as Tax collector thereof, because they say that neither they or any of their Co. obligors in said three bonds, ever, or at any time, incurred any expense which is legally or properly chargeable on said three bonds, or on any other bond And they further say that they not having incurred any expense in the way of lawyers fees or otherwise to defend claims brought against said three bonds, that they cannot and ought not to be charged or held to account for any part of such expense incurred in defence of suits and claims brought and prosecuted against the other three bonds. but that such proper expense and charges must be adjusted among the sureties in said last named bonds.

These exceptors admit that the reasonable costs of

this suit ought to be paid out of what may be realized thereby, and they say that a sum sufficient for that purpose has already been realized out of the effects of the debt Sage; and that the same is now in the hands of the Peff as receiver in this cause.

2 The above named exceptors together with Aaron R. Andrus or James F. Jones Dickinson Goble and Charles M. Hill except further to the action of Commissioner William A. Orr in allowing as charges the first 7 items set out in his "statement of amounts for which all bonds are liable" referred to by him in both his first and second reports. Because they say that the paper on which said charges are based, shows on its face that the same were executed by the obligors therein as a fee to the attorneys therein named in the nature of a retainers fee, for the counsel thereby employed reserve to themselves the right to prosecute against Sage and his sureties the most important claims then pending and unsatisfied against said Sage and his sureties and this being its character these exceptors say that Comr. Orr erred in allowing the same as charge in favor of any of the obligors therein.

3 The said exceptors further object to said 7 items because they say that the paper (118) shows upon its face that the obligors therein expressly stipulated ~~therein~~ for the services of Messrs Hagan & Bridenbark in any and all questions of dispute that may arise between the obligors therein and the other sureties of said Sage, and to allow

the same as a charge is to make the other sureties of said Sage pay to the obligors therein lawyers fees disigned and contracted to be rendered for the said obligors and against the interest of all the other sureties of said Sage which is inequitable and unjust & not sanctioned by law.

4
James F. Jones, Dickinson Gobble Charles M. Hill, and James Worley except to the action of Commissioner ^{Ors.} in allowing the first three items in his Statement of the liabilities resting jointly on bonds No. 4, 5, & 6. Because they say paper No. 123 on which said allowances were based, shows upon its face that the obligors therein employed R. A. Ayres to prosecute a compromise with the Auditor of public accounts in relation to two judgments rendered on bonds 4 & 5. And exceptors say that such compromise was effected so far as A. R. Surgenner, S. S. Surgenner & A. R. Anderson is concerned and hence was improper to be allowed as a charge in this cause, the obligors therein having received full compensation in and by said compromise

5
Dickinson Gobble, A. J. Bailey James M. Worley and Charles M. Hill four of the surety in bond No. 4 except to items two and three as set out and shown on "Statement of bond 4" filed with Commissioner Ors. second report. Because they say that said second item is for a fee agreed to be paid R. A. Ayres in the event that no judgment should be rendered against the obligor in the bond on which

said allowance is based. untill the statute of limitations
could bar a recovery against S. H. Lacey, And these ex-
citors say, that no judgment has been rendered against him
and cannot now be, because of limitation, And these
excitors further say that as said Lacey said that
fee to protect himself and to throw a greater burden
upon his co-bondsman it is both inequitable and
unjust that he should come in now and charge them
with any part thereof. (see paper B. filed with said statement)

6
As to item three in said Statement of \$200.00 allowed
by Court Orr, these excitors say, that Col. Pridemore's
"Statement of payments" filed with said Comptroller second report,
shows that C. J. Duncan paid to said A. L. Pridemore
for Jonathan Dalton the sum of \$100.00 and with that
sum and \$18.40 added thereto by said A. L. Pridemore
he purchased two Virginia Consol Bonds for \$100 each
and paid the same to the Auditor of public accounts, &
took the auditors receipt for said two bonds in the
name of said Dalton. (see receipt marked C) These
excitors say said allowance to said Dalton should
be for \$100 - and that \$18.40 is due to Col Pridemore
and not to Dalton. and this is the interest that should
be allowed on account thereof.

7
The said Dickinson Gobble excitors to the action of
Comptroller Wm. A. Orr as shown and set out in paper
X. filed with said second report in this that said
Comptroller therein forwards that said Jonathan

Dutton shall recover back from W. P. Miller \$27.27
from J. M. Andis \$66.57 and from this executor \$66.57
amounting in the aggregate to \$160.46 which would
do pretty well for him, if he can be allowed to pay
into a greatly losing business \$100. and an account
thereof to draw from his proposed co bondsmen \$160.46

For these reasons and others to be assigned at bar
executors pray that said two reports be quashed
and the cause re-committed.

Ayers + Morgan for
Executors.

April 2 1883.

Wm. M. Donald sal

Ad. } Exceptions

A R Surgessee

The Commonwealth of Virginia;
to the Sheriff of Lee County, greeting:

Whereas A. R. Surgenner, at a circuit Court for the County of Lee, at the Courthouse, on the 27. day of March 1884, by a decree of our said Court, recovered against S. S. Surgenner \$658. 92, with ^{legal} interest thereon from the 14. day of June 1881, till payment, and also \$1. 13 Costs, whereof the said S. S. Surgenner is convicted, as by the record thereof in our same Court manifestly appears:

And afterwards the said A. R. Surgenner died intestate, since whose death, administration of the personal Estate of the said deceased has been granted to James W. Orr.

And now on behalf of the said James W. Orr, as such Administrator as aforesaid, it is said that, although ^{a decree} ~~judgment~~ ^{was} given as aforesaid, yet execution of the decree interest and costs as aforesaid, still remains to be made.

Therefore at the instance of the said James W. Orr Admr. as aforesaid, we Command you that you make known to the said S. S. Surgenner that he be before the Judge of our said Court ^{at the Court house} on the first day of next Term, (March 1886) to shew, or if they had any thing to say, why the said James W. Orr as such Admr. ought not to have execution against him of the debt, interest and costs aforesaid, according to the Decree aforesaid. And have them there this writ, witness J. A. G. Hyatt Clerk of our said Court at the Court house this the 2 day of March 1886 in the 110 year of the Commonwealth. J. A. G. Hyatt C C
Copy Teste J. A. G. Hyatt C C

For
S. S. Bergerman

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY—GREETING,

We Command you to Summon

*James W. Sige, H. H. Briggs, Harrison Sige, R. D. Young,
James Wexley, Charles Hill, John W. Bailey, Mr. P. Miller, Jonathan Dalton,
Dickinson, Goffe, S. H. Leracy, A. J. Bailey, C. L. Bell, John M. Andis,
W. W. Leracy, John D. Sims, A. R. Anderson, S. S. Surgeuer, James F. Jones,
J. S. Ely, Admr of D. S. Dickinson decd & Admr of Lewis Smith decd & Admr
of John Miller decd, W. R. Graham, Raymond Lambert, Mr. McDaniel,
B. W. Barker, Joseph Lewis, John A. Moore, Randolph Lee, Dorian Ely,
Russell Philham, Joseph H. Bundy, John M. Whitehead, A. M. G. P. H.
Leracy, Alexander Wynn, George B. Miller, Greenberry Hallen &
Ruth Belcher.*

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court-House, on the first Monday in *February*
next, being rule *day* *cross* to answer a bill in Chancery, exhibited in our said Court against *them* by

A. R. Surgeuer.

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-House, this *14th* day
of *January* 1881, in the 108th year of the Commonwealth.

James W. Orr, Clerk.

20
3.50

.18

.18-

.18

.10

.36

.60

.125

1.00

3.08

.36

.40

9.83

1.80

11.33

A. R. Durgener

55 { Spd in Chancery
(30 copies)
Wm W Sage et al.

Feb Rules 1881

Executed by delivering
Copys of 120 within to
John W Bagley John
M Whitehead Mr McDonald
R. P. Melchan and by delivery
a copy to Randolph, the said
and explaining the same
to him Randolph not being
at his usual place of abode
Thos S Ely S L C

Executed by delivering a
Copies to W. W. Sage, H. H
Harris, H. Harris, Sage,
R. D. Young, James North,
John W. Hill, W. P. Viedt,
J. K. Kimmere, H. H. H., S. H. H.,
Linsay, A. J. Bailey, J. W.,
Ardie, J. D. Sims, W. R.,
Anderson,

S. S. Durgener,
James F. Jones,
John A. Moon,
Hiram Ely,
Greenbury Waller
Routh Beldin, T. S.
Ely, Adam V. B. M.
Barker.

Thomas Niles D. S.
for T. S. Ely. S. L. C.

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*A. L. Pridemore, Wm. A. Orr,
Wm. D. Miller, H. J. Morgan and
S. H. Livsey*

me at the clerk's office
To appear before the ~~Judge of our~~ Circuit Court of Lee, at the Court-House, on the *16th* day of August
~~then~~ next, to testify and the truth to speak in behalf of *A. R. Surgenor et al*
in certain matters of controversy pending in our said Court between *said Surgenor et al*

on a Cross Bill

PAINTIFF, and

Wm. W. Sage, James

Worley et al

DEFENDANT. And this

they shall in no wise omit under penalty of

Twenty Dollars. And have then there this writ. Witness JOHN A. G. HYATT ~~Clerk~~ *Cour. in Chcy ro* of our said court

at the court-house this *11th* day of *Aug.* 1882; in the *107* year of the Commonwealth

J. A. G. Hyatt ~~CLERK.~~

Cour. in Chcy ro

A. R. Surgenor
vs 3 Spa for wit.

Wm W. Sage et al

To 16 day Aug. 1882.

We accept legal service
of within summons
this 11th Aug. 1882,

Wm D. Hallett

A. S. Ordmore

J. J. Morgan

Wm A. Orr

VIRGINIA :—In the Clerk's office of the Circuit Court of Lee county, the 14th day of January, 1881.

A. R. SURGENER,

Plaintiff,

against

Wm. W. Sage et als.,

Defendants.

IN AHINCERY, ON A CROSS BILL.

The object of this suit is to ascertain and settle the liabilities of Wm W Sage late sheriff and tax collector of said county and his securities in his several official bonds as such : and to subject to the payment of said liabilities any estate owned by said Sage, and to set aside as fraudulent, certain conveyances of certain lands in the bill mentioned, made by said Sage and others and subject such lands to the payment of said liabilities : and to have contribution made by and among said securities in his said official bonds and it appearing from an affidavit filed in the cause that Jonathan Dalton, W W Levacy, Wm R Graham, Wayman Laubert, Joseph Lowe, Joseph H Bundy Geo B Milbourn, P H Levacy and Alexander Wynn, are non residents of this State, it is ordered that they appear here within one month after due publication of this order and do what is necessary to protect their interest in this suit. A copy—Teste,

prf\$750j21

JAMES W. ORR, clerk.

May, A. R. Sargen.

In acq. With the "Sentinel."

1881

July	25	For printing annexed copy Order 4 weeks.	\$7.50
		Recd. Payment by A. R. Sargen.	
		Charles M. Longley	
		for Wilson.	

May. A. R. Surgeon
to Lu Rile #750
Lu Co. "Sentinel"

Lu Co.